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DOMESTIC CULTIVATION OF MARIHUANA

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

FIRST SESSION

JULY 22 AND 23, 1983

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DOMESTIC CULTIVATION OF MARIHUANA

FRIDAY, JULY 22, 1983

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL,
Redding, Calif.

The select committee met, pursuant to call, at 9 a.m., at the Redding Municipal Airport, Redding, Calif., Hon. Charles B. Rangel (chairman of the select committee) presiding.

Present: Representatives Charles B. Rangel, Gene Chappie, Duncan Hunter, and Jerry Lewis.

Staff present: John T. Cusack, chief of staff; Richard B. Lowe III, chief counsel; Elliott A. Brown, minority staff director; and John W. Peploe, investigator.

Congressman Chappie's staff present: Leslie Alward, staff assistant; Hoyt Elkins, district representative; Jennifer Herman, District of Columbia staff; and Nancy Mattias, administrative assistant.

Mr. RANGEL. The Select Committee on Narcotics Abuse and Control of the U.S. House of Representatives hearing will come to order.

I welcome your participation at this hearing by the select committee on the illegal production of marihuana in the United States. The issue is a pressing one because domestically grown cannabis accounts for a significant and increasing share of the marihuana consumed in this country, and there are questions about the roles of the Federal, State, and local agencies in attacking this problem.

The committee has come to northern California for this inquiry because this region, more than any other, has felt the impact of relatively large-scale cultivation of the potent sinsemilla variety of marihuana on both public and private lands.

The practice has spread to most other States, creating an additional challenge for law enforcement nationwide.

We are particularly grateful to Congressman Gene Chappie, who has urged our committee to look into this and also to include with our panel Jerry Lewis, as well as Duncan Hunter, who will be joining our panel this morning, in order to help us to try to get a handle on this situation.

Congressman Chappie and his office and his staff have assisted us in making arrangements for this 2-day session, which will include testimony from a distinguished group of expert witnesses—an aerial inspection of marihuana-growing sites by members and by our staff.

It has been evident for the last few years that the production of domestic marihuana was expanding and would have to be treated

as a significant drug enforcement task. Yet some of the most basic questions beg for answers.

Even the size of the U.S. marihuana crop is speculation and a lot of guesswork. Does it represent some 15 to 20 percent of the marihuana used in this country?

Mr. Mullen of the Drug Enforcement Administration told us, incredibly, that there was more domestic cannabis eradicated last year than was previously believed to have existed in the first place.

How much reliance can we place on our official estimates of the illegal drug supplies that threaten the well-being of our Nation? All we can say for certain about homegrown marihuana is that there is plenty of it.

Another basic question—mostly unresolved—is, who is responsible for eradicating the marihuana planting and who is responsible for apprehending growers?

The Drug Enforcement Administration, to quote Mr. Mullen again, sees its role as encouraging State efforts and contributing funding, training, and investigative and aerial support for State and local efforts—about 1 million dollars' worth last year, although it was not an identifiable item in the Drug Enforcement Administration's budget.

Is that enough to address this important national problem? Especially considering that much of the marihuana is presently being grown on Federal lands where the agencies with custodial responsibility are not well suited for drug enforcement and where local police do not normally patrol.

The clear Federal interest in controlling these major sources of marihuana within our borders hardly needs arguing. Marihuana is the most commonly abused of the drugs that concern our national policymakers.

It damages the lives of millions of young people during crucial learning years. It poses a wide-ranging threat to health that is just starting to be understood.

It is the gateway to many other forms of drug abuse. Cannabis looms large among the drugs that hurts the performance of young men and women in the armed services. The Federal Government spends many millions of dollars each year to combat the smuggling of marihuana into this country from Latin America, the origin of most of the supplies consumed nationally.

This enforcement effort will be wasted if the foreign marihuana is merely replaced by the standing domestic cultivation.

Marihuana production in this country also has an important bearing on our diplomatic initiatives to get the foreign countries to eradicate their illegal drug crops, including the raw materials of heroin and cocaine, as well as marihuana.

We cannot demand strong action by these countries if we fail ourselves to act effectively against marihuana cultivation on our own soil.

How receptive is the present effort against marihuana production here?

Mr. Mullen of the DEA claimed before our committee, and I quote, "By all measures, the domestic marihuana eradication program has been very successful."

This is an astonishing statement if it is not accompanied by evidence that the production of marihuana in this country is diminishing rather than spreading like a plague. We are here to seek an explanation.

The committee will be calling on several impressive panels to help us to assess the problem and to find some of these answers. We will be hearing from high-ranking State officials of this region, law enforcement people and prosecutors, representatives of affected Federal agencies and people from the community.

This afternoon, members and staff plan to make a personal inspection of marihuana-growing areas in this part of California.

Before we get started, again, I want to praise Gene Chappie for pointing out, not only to our committee, but to the Congress as a whole, the importance of looking into this matter and coming up with some national answers to a growing national problem.

[Mr. Rangel's opening statement follows:]

OPENING STATEMENT BY HON. CHARLES B. RANGEL, CHAIRMAN, SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Ladies and gentlemen, I welcome your participation in this hearing by the Select Committee on the illegal production of marihuana in the United States. The issue is a pressing one because domestically grown cannabis accounts for a significant and increasing share of the marihuana consumed in this country, and there are questions about the roles of Federal, State, and local agencies in attacking the problem.

The committee has come to northern California for this inquiry because this region more than any other has felt the impact of relatively large-scale cultivation of the potent sinsemilla variety of marihuana on both public and private lands. The practice has spread to most of the other States, creating an additional challenge for drug law enforcement nationwide.

We are grateful to Congressman Gene Chappie, an active member of our committee, for his assistance in making arrangements for this 2-day session. It will include—besides testimony from a distinguished group of expert witnesses—an aerial inspection of marihuana-growing sites by committee members and staff.

It has been evident for the last few years that the production of domestic marihuana was expanding and would have to be treated as a significant drug enforcement task. Yet some of the most basic questions beg for authoritative answers.

Even the size of the U.S. marihuana crop is a matter of the wildest guesswork. Does it represent some 15 to 20 percent of the marihuana used in this country? Or, as some people think, a considerably larger percentage? Mr. Mullen of the Drug Enforcement Administration told us, incredibly, that more domestic cannabis was eradicated last year than was previously believed to exist. How much reliance can we place on our official estimates of the illegal drug supplies threatening the well-being of our Nation? All we can say for certain about home-grown marihuana is that there is plenty of it.

Another basic question—mostly unresolved—is who is responsible for eradicating the marihuana planting and apprehending the growers. The DEA, to quote Mr. Mullen again, sees its role as encouraging State efforts and contributing funding, training, and investigative and aerial support for State and local enforcement—about $1 million worth last year, although not as an identifiable item in the DEA budget. Is that good enough to address a national problem of such dimensions? Especially considering that much of the marihuana is grown on Federal lands, where the agencies with custodial responsibilities are not well suited for drug enforcement, and where local police do not normally patrol.

The clear Federal interest in controlling these major sources of marihuana within our borders hardly needs arguing. Marihuana is the most commonly abused of the drugs that concern our national policymakers. It damages the lives of millions of young people during crucial learning years. It poses a wide-ranging threat to health that is just starting to be understood. It is the gateway to many other forms of drug abuse. Cannabis looms large among the drugs that hurt the performance of young men and women in the armed services.

The Federal Government spends many millions each year to combat the smuggling of marihuana into this country from Latin America, the origin of most of the

supplies consumed national. This enforcement effort will be wasted if the foreign marihuana is replaced by the expanding domestic cultivation of cannabis.

Marihuana production in this country also has an important bearing on our diplomatic initiatives to get foreign countries to eradicate their illegal drug crops, including the raw materials of heroin and cocaine as well as marihuana. We cannot demand strong action by these countries if we fail to act effectively against marihuana cultivation on our own soil.

How effective is the present effort against marihuana production here? Mr. Mullen claimed before the select committee: "By all measures, the domestic marihuana eradication program has been very successful." That is an astonishing statement if it is not accompanied by evidence that the production of marihuana in this country is diminishing rather than spreading like a plague. We are seeking an explanation.

The committee will be calling on several impressive panels to help us assess the problem and find some answers. We will be hearing from high-ranking State officials of this region, law enforcement people and prosecutors, representatives of affected Federal agencies and community spokespersons. This afternoon, Members and staff plan to make a personal inspection of marihuana-growing areas in this part of California. Before I call our first witnesses, do my colleagues on the committee wish to make opening statements?

Mr. RANGEL. Mr. Chappie.

Mr. CHAPPIE. Thank you, Mr. Chairman.

It is truly an honor to host the Select Committee on Narcotics Abuse and Control here in our district. I would like to take a moment to thank the participants, particularly the sheriff of Butte County, Hal Brooks.

Their efforts to control the cultivation and distribution of marihuana have been exemplary. We anticipate an informative hearing drawing upon the wealth of experience and knowledge they and the others can provide us regarding the problems you have outlined, Mr. Chairman.

In addition to these problems, I am glad to have this opportunity to draw attention to another serious aspect of the cultivation of marihuana on public lands.

Each of California's 58 counties report findings of "pot plantations." These reports are echoed in all 50 States. The "gardens" are well guarded and boobytrapped.

Here in northern California, countless incidents involving hikers, campers, and Forest Service employees have been documented where they have stumbled onto pot growth and faced grave danger.

The situation is becoming increasingly hazardous. More and more growers are seeking the seclusion of public lands to cloak their activities. As the potent sinsemilla marihuana strain commands higher prices on the streets, the efforts made to prevent detection of the illicit plants becomes more determined.

In addition to threats of public safety—some as extreme as packs of junkyard dogs, triggered hand grenades, fishhooks strung at eye level, even roaming Bengal tigers—the cultivation of marihuana on public lands and wilderness areas poses a very serious threat to our environment.

Growers use elaborate irrigation systems and unsafe herbicides which pollute the streams. Animals which eat the lethal rodenticides put out by the growers spread the poison to other animals in the chain. Last year alone, six forest fires were linked to pot farmers.

Ignoring the problem would violate many commitments we have made to the public. Letting these activities go unchecked could make the rumors of opium fields harsh realities.

I think the members of the select committee will share my opinion, after hearing the testimony, that the damage to these lands could be irreversible and the danger facing innocent people working in and enjoying our parks is unacceptable.

For the record, Mr. Chairman, I think to set the tone, if I may briefly quote from the letter that I received from the California Women in Timber:

Gentlemen, California Women in Timber will be unable to testify at the Select Committee Hearing in Redding on July 22-23, 1983. We are concerned about safety of our members, as in the past, individuals who have testified have been threatened.

However, several of our members plan to attend the hearing. We do want to let you know we support your efforts to combat this situation. We fear for our husbands who work in the woods and our families and others who use the National Forests for recreation.

Signed by Hazel Jackson, chairman of the California Women in Timber.

Thank you, Mr. Chairman.

[The letter referred to follows:]

CALIFORNIA WOMEN IN TIMBER,
Chester, Calif., July 14, 1983.

Congressman EUGENE A. CHAPPIE,
Select Committee on Narcotics Abuse and Control,
Chico, Calif.

GENTLEMEN: California Women in Timber will be unable to testify at the Select Committee hearing in Redding on July 22-23, 1983. We are concerned about safety of our members as in the past individuals who have testified have been threatened. However, several of our members plan to attend the hearing.

We do want to let you know we support your efforts to combat this situation. We fear for our husbands who work in the woods, and our families and others who use the National Forest for recreation.

I will be unable to attend the hearing as I will be in Washington, D.C., preparing to testify at the Senate Sub-Committee on Senator Wilson's California Wilderness bill.

Sincerely yours,

HAZEL I. JACKSON,
Chairman, Legislative Committee.

[Mr. Chappie's opening statement follows:]

OPENING STATEMENT OF HON. GENE CHAPPIE, SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Thank you, Mr. Chairman.

It is an honor to host the Select Committee on Narcotics Abuse and Control here in our District. I'd like to take a moment to thank the participants, particularly the sheriffs of Butte and Sonoma Counties, Hal Brooks and Roger McDermott. Their efforts to control the cultivation and distribution of marihuana have been exemplary. We anticipate an informative hearing drawing upon the wealth of experience and knowledge they and the others can provide us regarding the problems you've outlined, Mr. Chairman. In addition to those problems, I'm glad to have this opportunity to draw attention to another serious aspect of the cultivation of marihuana on public lands.

Each of California's 58 counties report findings of "pot plantations." These reports are echoed in all 50 States. The "gardens" are well-guarded and booby-trapped. Here in northern California countless incidents involving hikers, campers and forest service employees have been documented where they've stumbled onto pot growth and faced grave danger. The situation is becoming increasingly hazardous. More and more growers are seeking the section of public lands to cloak their activities. As the potent "sinsemilla" marihuana strain commands higher prices on the streets, the efforts made to prevent detection of the illicit plants becomes more determined.

In addition to threats to public safety (some as extreme as packs of junkyard dogs, triggered hand grenades, fishhooks strung at eye-level, even roaming Bengal tigers), the cultivation of marihuana on public lands and wilderness areas poses a very serious threat to our environment. Growers use elaborate irrigation systems and unsafe herbicides which pollute the streams. Animals which eat the lethal rodenticides put out by the growers spread the poison to other animals in the chain. Last year alone six forest fires were linked to pot farmers.

Ignoring the problem would violate many commitments we've made to the public. Letting these activities go unchecked could make the rumors of opium fields harsh realities. I think the members of the select committee will share my opinion, after hearing the testimony, that the damage to these lands could be irreversible and the danger facing innocent people working in and enjoying our parks is unacceptable.

Mr. RANGEL. Thank you, Mr. Chappie.

We want to thank Jerry Lewis, an outstanding Congressman, for his contribution in this area, and thank you for joining us this morning. Congressman Lewis?

Mr. LEWIS. Mr. Chappie, Mr. Rangel. Mr. Chairman, I have come today in large part because I represent the 35th District of southern California. It includes some 32,000 square miles; lots of it territory very similar to the territory around Redding.

I have come also because Gene Chappie suggested that it might be of some real value to have the ongoing dialog between yourselves and your staff and the problems we face here in the West.

The audience might be interested to know that last evening, in conversation in which we were getting to know one another, the chairman indicated that in half a day he could walk around his entire district.

There in the urban centers there are consumers who receive a product, not thought to be important not so long ago. It is apparent that this kind of agricultural activity is standing in the open territories of the country.

I think it is very important to have you be willing to come and see that the map is different than the territory, and indeed, we do have a very severe problem.

Mr. RANGEL. Thank you, Congressman Lewis. Congressman Duncan Hunter has rearranged his schedule to be with us today. He cannot stay for both days.

We want to thank you. Do you have an opening statement?

Mr. HUNTER. Thank you, Mr. Chairman.

I would simply like to say that I represent the California/Mexican border and am very concerned, of course, about the drug flow to the north along the border, but it has become increasingly apparent in my district, in San Diego County, that a great deal of the marihuana that is consumed in southern California is, in fact, grown domestically.

I want to thank Gene for his leadership in helping to put this series of hearings together, and I think that it is apparent that the key to an effective eradication program has increased Federal participation, Mr. Chairman, and I hope that that would be the result of our series of hearings.

Thank you. Thank you, Gene, for all of the work that you have done.

Mr. CHAPPIE. Thanks.

Mr. RANGEL. Assisting us at this table, of course, will be Jack Cusack, our chief of staff; Richard Lowe, our chief counsel; and Elliott Brown, our chief minority staff counsel.

At this time I would also like to thank the staff of Congressman Chappie that made all the arrangements in working with the committee staff and making all of this possible.

Mr. RANGEL. The Chair would now like to call our first set of witnesses from the Bureau of Land Management, Ron Hofman; and Dave Howard.

It is my understanding that they would like to start off with a slide presentation that will be narrated by a member of the Bureau of Land Management.

TESTIMONY OF RONALD HOFMAN, BUREAU OF LAND MANAGEMENT, AND DAVE HOWARD, BUREAU OF LAND MANAGEMENT

Mr. HOFMAN. Mr. Chairman, because of the lighting in here, we had to place the screen behind you and we would like to ask you to turn around.

I am Ron Hofman and this is Dave Howard, who will assist me in the slide show. At the table is Ed Hastey, the State Director, Bureau of Land Management, and Zane Smith for region V, Forest Service.

As it said in the program, what we would like to do is provide some background information to the committee and the committee members on the scope and nature of the problem, especially on the public lands, Bureau of Land Management and the Forest Service.

We would also like to talk a little bit about the impacts of this type of activity on the public lands and a little bit about the program that we have got underway in trying to combat this activity.

I think this will provide a basis for you for what you are about to do here in the next few days.

The Bureau of Land Management manages 16.5 million acres in California.

Mr. RANGEL. What was that first slide supposed to represent?

Mr. HOFMAN. This is a map of California, sir, and I hope you can see it all right. The green area is the U.S. Forest Service lands. That is the mountainous areas and the foothill areas in California.

Marihuana is usually grown below 6,000 feet, so there is a lot of Forest Service lands that is suitable for growing of marihuana.

The yellow area here, sir, is the Bureau of Land Management managed land, and that is about 16 million acres in the State. Generally a little bit lower land, but it is also suitable for cultivation of marihuana.

The purple areas are Park Service areas, and the pink areas are military reservations.

Mr. RANGEL. Thank you.

Mr. HOFMAN. What we would like to concentrate on is the 16½ million acres of Bureau of Land Management land and the 20 million acres of Forest Service land. I think in total the Federal land ownership in California gets to about 50 percent of the total land ownership, so it is a sizable piece of California.

Now, the Bureau of Narcotics Enforcement in the State has estimated that the 1981 crop in California is worth $1.2 billion. So that is a sizable amount.

As you pointed out, Mr. Chairman, the statistics on this are unclear, almost any figure you want. This is the figure that we have

been given for the 1981 crop value in California. We estimate that 40 to 50 percent of the marihuana grown in California is grown on public land.

Mr. HUNTER. What is that again, sir?

Mr. HOFMAN. There is 40 to 50 percent grown on public land.

Now, this map is hard to see—but you will be seeing later in the day a map like this that shows individual locations of marihuana in California, and I can tell you that it encompasses all of the counties in the State, including the southern counties right up to the north. So it is a statewide problem.

Now, I would like to talk about some of the impacts from this program on the public lands. As Congressman Chappie pointed out, we have reported last year six major forest fires as a result of this activity, carelessness with flammable material, and I hate to get into the thought of retaliation and what that might bring in the way of forest fires also.

This is not only a problem of Forest Service and Bureau of Land Management land, but large timber holdings by timber companies in California also are faced with this problem.

One of the things that happens is the small rodents, small animals, eat these plants and the growers poison them and the poison gets into the food chain, as a result of damage to birds of prey.

Another kind of impact is poaching deer. The deer like to get in and nibble on these plants, and the growers, as you see later on, put up fences, but if they see an animal, they will sometimes eliminate it.

Another problem with the impacts is that the chemicals that are used to fertilize are heavy nitrogen-based and they get into the water supply, water systems, and do damage to the aquatic life system and occasionally downstream drinking water.

Now, that is just an overview of the kinds of impacts that you can expect. What the Bureau of Land Management did last year was come out with a policy statement that said cultivation of marihuana on public lands, is an unauthorized use, which has adverse impacts on the resources and legitimate land uses and sometimes threatens the safety of BLM employees.

One aspect of the program to eradicate marihuana that we think is important is detection, detection and reporting. It has to be found and we need to be able to tell from year to year how effective our programs are, and the whole detection aspect is an important category.

You will hear from various people during your visit here about high technology techniques such as using U-2 airplanes and satellite efforts.

It runs from that sort of high tech effort down to just people out on the ground who run into it and report it to the local sheriff. All these information sources have to be brought together somewhere, somehow, so we can get the total picture of the problem.

Very often the easiest way to spot it is just by small aircraft flying around, picking it out. When it is grown in the open, it is not hard to spot.

Another part of the program is user safety. We have got legitimate people out using the public lands: loggers, miners, ranchers,

and these people. The potential exists for running into illegal activity and being threatened and harmed.

Recreationists—there are millions of visitors on the public lands of a heavy populated State like California. You can imagine the number of visits to public land, such as families out fishing.

Employee safety. This is a major factor. There are hundreds of our employees out in the field every day cruising timber, doing wildlife surveys, and are in the environment and can run onto this sort of thing.

Other kinds of field activities that we do are timber projects and land survey projects. They are likely to run into a marihuana site.

Law enforcement is the fourth aspect of the program, of course; actual raids. We like to emphasize that while the Bureau of Land Management assists in these efforts the local law enforcement people—the sheriffs have the lead.

What I would like to do now is move right into Dave Howard's presentation and give you some examples of actual raid situations.

These raids occurred on the King Range national conservation area in Humboldt County and Mendocino County.

This is a congressionally designated conservation area, designated because of its remoteness and scenic beauty along the coastal environment. What we did last summer, in just a few hours of flying in a light aircraft, is find 18 marihuana plantations on that site. Dave will explain what happened when two of these sites were raided.

Mr. RANGEL. Who are "we"? Who goes in on the raids?

Mr. HOFMAN. Dave is going to explain that, sir.

Mr. HOWARD. The Bureau of Land Management, in this case, sir, cooperated with the U.S. Customs Service, who provided the helicopter. The lead law enforcement agency was Humboldt County.

The highway patrol assisted us and the Bureau of Narcotics Enforcement, and what we did is, we cooperated, Bureau of Land Management with the Bureau of Narcotics Enforcement, and had them overfly the King Range national conservation area.

In about 2 hours of overflight, we spotted 18 locations. We concentrated on two of these locations.

Bureau of Land Management, in 1982, we had $15,000 to spend on marihuana eradication. We—in California.

With that $15,000, cooperating with all of these other agencies, by the way—the U.S. Customs donated the helicopter time and the other agencies donated their time—and we provided things like U-Haul trucks; and paid for the burning, and did things like that.

We concentrated on these two sites. Mostly because they were accessible and the fact that they were large sites. The King Range national conservation area is an area where from sea level to 1 mile back, the altitude gains 4,000 feet, so just about a 45-degree angle.

Mr. LEWIS. What is the size of a sizable site?

Mr. HOWARD. Size of an actual site would probably be an area about as large as this room, and they can grow about 300 plants in this area, or 150 plants, depending on how he spaces them and how he grows them.

Mr. CUSACK. Acres or square feet or what?

Mr. LEWIS. This is——

Mr. HOWARD. Oh, I don't know. In one of these sites, you can't hardly see this picture here. Let's go to another one.

Like for this site here, was about 50 yards wide, OK, and about 20 yards in width. You can probably count, oh, 100 plants there.

So in overflights over the King Range, this is what you see. You can see marihuana is pretty easy to spot in a very isolated area.

Mr. LEWIS. Can you give us an estimate of the value of production of a site like that?

Mr. HOWARD. There is a lot of different types of estimates on value. First of all, you have to realize that these plants were sinsemilla plants, OK, which are the best as far as value goes.

They run at an average of about $2,000 a plant, because they feel as though they get about 1 pound of marihuana out of them.

Now, some of these plants you will see are 14 feet tall, and the growers would probably get 3 pounds of marihuana out of them. So estimating is really hard to do. It depends on the size of plants and the grade of marihuana grown.

We had to get into the area, and the only way we could get into this particular area was literally jump out of a helicopter in manzanita and making our way down to the marihuana field was a regular highway. The kind of things that we were up against, we felt we could beat is, we knew the growers often had wild dogs and this type of thing.

We felt as though we were—could run into boobytraps, a kind of a punji stick type of thing with a cardboard box over it and you step on it and get sharp spikes going through the bottom of your feet.

Also, growers do have a lot of weapons. I might make a comment that the growers usually put these types of operations up, boobytraps, to keep crop thieves from stealing their crops, not necessarily put up to guard against law enforcement agencies. They are more interested in keeping somebody from stealing their marihuana.

This is a marihuana leaf, and I am sorry the light in here—this is essentially what we were after.

This next picture, if you can see it, and I wish the light was better because you can see the different colors, and stems, and the different colors, and types of plants.

Like, for instance, you have a thin-leafed plant, a thick-leafed plant. Thick-leafed plants are characteristic of cold countries like Afghanistan; thin-leafed, to South America-type, Mexico, Brazil. Stems that were purple, dark green, in some cases white. All different types of marihuana.

This is a Kush variety of a sinsemilla bud. This is the bud. This is the plant. The bud is what they are after.

The more buds per plant—and you will see other plants covered with buds, is where the value is.

By growing the plant and pulling the male plants at the right time, they are able to keep the plants being female, which secretes the resin which is the THC, which causes the high when you smoke it.

This is a Kush variety. If you looked in High Times magazine, which is a national magazine, they would label Kush variety of marihuana as one of the gourmet marihuanas.

This gives an idea of height. The Humboldt County sheriff's officer is 6 foot 3 inches. He has got his arm extended with a mini 314 rifle.

Notice the great number of buds on that plant. This picture was taken to show the size of the stems, and that is a marihuana plant stem, and behind me as I was standing on a hill.

See the size of the plants? Normally you think of marihuana plants as being about this tall. You know, a little bushy plant. These things are huge.

I might say that in this operation we recovered about 600 plants and there was—and for a 2-day operation, and it was right at 2 tons of marihuana wet. OK. That is before it is dried and processed.

Mr. HUNTER. How many days was the operation?

Mr. LEWIS. Two.

Mr. HOWARD. Two days, sir.

This is a Doughboy pool, type of a Doughboy pool. What they use the pools for is just a water reservoir, and you can see the line running to this, and this line went up to a spring about a mile and a half away and they would dam off the spring and put a device where they could collect the water and put it in the Doughboy pool, and into the Doughboy pool they would mix fertilizers.

This is another type of special fertilizer that was in the line going to some of these special plants, the Kush variety. They had a special fertilizer they were feeding.

This is hard to see again, but these are 9-volt timers and valves, connected by little wires so that he could leave for 4 or 5 days and water his plantation. OK.

This is a closeup of that type of timer valve with a filter, and the end result went down to a small sprayer off a quarter-inch line and you can barely see, but this is spraying the plant.

They were watering the plants when we got there.

Some of the types of things that they leave around there—they used a lot of—of course, they used a lot of Decon and that type of stuff to kill rodents, used a lot of mousetraps and rattraps. Also make boobytraps out of rattraps, and you are always setting off traps as you are walking around. Literally covered with traps and Decon to kill rodents.

They would clear an area, and you can see this is a fence and a lot of trash and things and stuff around the area. They put a fence completely around it and they would hang on the fence a deer repellant, which smells like, I guess panther, whatever, and keeps the deer away from it.

The process of eradicating is, of course, to cut the plants down and bundle them. We bundle them in a certain number so we can count the bundles and know how many plants.

We would then load it up on top of a big net. You can see this is a Bureau of Narcotics Enforcement agent has the nets in his hand. We would call the helicopter in, and in this particular area we had to use 150-foot cable to reach into the area.

We also had to hike about 2 miles to get to this area, and then we would haul it away. See the cable and the marihuana being hauled away? Used a base camp, which was literally just a cleared area.

There are the U-Haul trucks. We would bring the marihuana in, then we would stack it and inventory. It looks like trees, don't they?

Yes; incredible size. Of course, then we would load it up into the U-Haul trucks and later on we would take it, after it had been weighed and destroyed by burning.

The next—if those plants were left to grow, the process they would have used to process them for use would have been to hang them upside down like they do tobacco and bottle them and package them and ship them somewhere.

Ron, did you want to make a comment here?

Mr. HOFMAN. Yes; one of the things that we thought might be interesting to do is to go back into these sites after the growing season and remove all the paraphernalia from as many sites as we could, thinking that would be a preventive effort and discourage the people from coming back in and planting again this spring.

We did that, and Dave will explain what we did.

I might say that it has been successful. Many people mistakenly feel that marihuana work only can be done during the growing season. I think a lot of preventive work can be done more safely if you went in and discouraged people from coming back.

You saw that country. It wasn't easy for those people to get the Doughboy pools and equipment in there, and if we went in and removed it all, they might think again before returning.

Again, all this yellow area, the King Range, those 18 known sites, and we went back in this spring and got 12 of them, and Dave will describe that operation and then we will be through.

Mr. HOWARD. Essentially, this was going to be a crime-prevention-type effort. We preflew the King Range just like we had done the year before and we went back to the same sites.

Actually, we targeted 12 of them. These are the sites that—it was early this spring, and this is what the sites looked like before they start planting marihuana.

In this particular site, they had airlifted a great deal of the stuff in there. We could tell that because they had a tremendous number of boxes that had been taped up. OK. They were scattered all over the place.

Some of them broke open and there was fertilizer, and some of them weren't successful, and I imagine—this was on top of a ridge, and they probably flew close by and dumped the stuff out.

Also in this area they had a—they had a brandnew Doughboy pool just getting it going, and had all the black plastic pipe stacked here in the woods.

This is another site. You can see the bottom of the Doughboy pool here. This was the site where they had grown marihuana before.

OK. So what we do is, we went in using the customs helicopter, again the lead law enforcement agency was Humboldt County. They provided the law enforcement, and the Bureau of Narcotics Enforcement with special agents from the Bureau of Land Management, and we went in and we literally took out all of the paraphernalia used to grow marihuana.

On this particular site you can see these big buckets. The ground was so hard that they hauled these buckets in and filled them with

fertilizer and mulch and grew the plants in the buckets. The process is just the same. We had to take out all the wiring, piping, and everything, bundle it up in huge nets, bring the helicopter in the same way, and haul it away.

We placed a sign on the trees close to the sites, essentially saying we were here and we were going to come back.

This is a photograph of the helicopter or customs chopper coming in and our crews loaded up and headed out. This was after 1 day's operation, and some of the other pictures, another deal here you will be able to see more extensive, how in the 5-day operation we got just right at 5 tons' worth of stuff, and just literally hundreds of feet of black plastic pipe. We got a thousand seedlings that they were starting to grow. We got some opium poppy plants.

Mr. HUNTER. Can I ask you a question on that point?

Mr. HOWARD. Yes, sir.

Mr. HUNTER. Apparently you spent a lot of money and a lot of resources gathering the marihuana up at the site, carefully carrying it back or carting it out, which must have cost a lot of dollars if you are in the wilderness area and then gas flying it and destroying it. My question is, Couldn't you cover a lot more ground if you simply destroyed it onsite instead of bringing it back?

Mr. HOWARD. OK. The problems we had in doing that, in a wilderness site at that time of year, you start a fire and you can start a forest fire.

Mr. HUNTER. I am not talking about starting a fire. There must be something else you can do to destroy it.

Mr. HOWARD. We have researched that. They have dug ditches and put lime in it and dug it up 6 months later and you could still wash it off and use it.

We thought about bringing in a tree-trimmer type of grinder that grinds it into pieces and scatters it all over the place. That became harder to get that equipment in there.

Mr. HUNTER. How do you get it out of there, if you have to chopper in—and I guess you have got to go in with LZ or landing zone where you can get within a mile or two of the site, then you hike in from that——

Mr. HOWARD. Right.

Mr. HUNTER [continuing]. Landing zone? Apparently you have got to take the marihuana out the same way. You have got to take it to an LZ?

Mr. HOWARD. No, we bundle it up in a net. You saw——

Mr. HUNTER. Lifted them——

Mr. HOWARD. Lifted them out. In fact, that was the easy part, getting the marihuana out. Cutting it down is a lot of work, of course, is time consuming, but putting it in the net and getting the helicopter to haul it away isn't tough.

Like I said, it is tougher getting the people out of the helicopter than it is taking the marihuana. But it is time consuming, you are right. It is a lot of work.

Mr. HUNTER. Costs a lot of money, too?

Mr. HOWARD. It is a lot of money. This is the type of equipment we got as paraphernalia. We also delivered about 70 pounds of what they call shake, which is not the buds, which is the leaves and the stems and stuff like that.

It sells for about $250 a pound. We burned it.

This is the opium poppy that we got. Now, we finished that operation and as we were leaving, we were driving out of the area——

Mr. LEWIS. Mr. Chairman, I would be very interested in pursuing this increase of volume of opium poppy——

Mr. RANGEL. I made a note of that and I would hear that after his presentation, because it was just passed over.

Mr. HOWARD. As we were exiting the area, sir, we came upon a location which appeared to be a business of some sort selling all these different types of things needed to grow marihuana. This particular thing, business, didn't have a name on it. It just was an open and closed situation.

Next picture will show you the plastic pipe before we got it, or before it went in this year. That is the end of the presentation.

Mr. HUNTER. What could you do with that? Obviously that is pipe you could use to water any number of plants. You can't confiscate it?

Mr. HOWARD. No. It can be used to grow tomatoes.

Mr. HUNTER. Did you have any contact with those people?

Mr. HOWARD. We told the Bureau of Narcotics Enforcement about it and also the local county sheriff and they were going to talk to the people and that type of thing, and I don't know what happened with that.

Mr. RANGEL. Excuse me, Mr. Smith and Mr. Hastey, are you going to follow through on this discussion or on another subject matter?

Mr. HASTEY. What I plan to do is only highlight my prepared statement made for the committee. Highlight points made in the presentation and answer questions you may have.

Mr. RANGEL. I think that the panel would like to make some inquiries of the people that just made the presentation, so it might be that we will change the order of the hearing and I will ask you to defer and then ask them to come back so that we will ask them some questions concerning what we have just been shown. Unless you two believe you have the answers to them.

Mr. HASTEY. Well, I think it may be appropriate to go ahead and raise the questions. Zane Smith, from the Forest Service, I am sure would like to respond to some of these concerning Forest Service lands.

Mr. RANGEL. You mentioned casually the opium poppies, which members have a great concern about. We would like to know just how big a problem is the growing of opium poppies in this area.

Mr. HASTEY. This is, as far as I know, the first case where we have run across opium——

Mr. CHAPPIE. Mr. Hastey, could you speak louder? I know there are folks back there as interested as we are, and the acoustics aren't that good.

Mr. HASTEY. Is the microphone on?

Mr. RANGEL. Can you hear in the back?

VOICE. Not very well. We have a fan up here that is rattling.

Mr. CHAPPIE. Sound off.

Mr. HASTEY. The raid which we recently had was the first time we ran across the opium poppy, and as far as I know, this hasn't been a serious problem in the past. This was an unusual find at the

site, and as far as I know, Dave Howard, that is the first case we have had, which is somewhat disturbing that they moved beyond just growing marihuana.

Dave may have some additional information on Forest Service lands.

Mr. SMITH. Mr. Chairman, we have observed an occasional poppy plant, but I don't think it is anything you can say is widespread at this time. The fact that they found it was fairly significant, and I don't have the report on how many observations, but it is certainly incidental to some of the other work.

Mr. RANGEL. Well, what is the growing season and the harvest season of all this that we have seen? What is the harvest season? What are we talking about?

Mr. HASTEY. Normally the planting starts in the spring and the harvest season is usually in the August, September, in the late months. Normally 4 to 6 months' growing season.

Mr. RANGEL. Mr. Chappie.

Mr. CHAPPIE. Yes, Mr. Chairman.

Mr. RANGEL. You want to make inquiries before we continue the presentation of the witnesses?

Mr. CHAPPIE. No; I defer to my colleagues on the panel in that I have been through this presentation before.

Mr. RANGEL. OK. Mr. Hunter.

Mr. HUNTER. I have just a couple of questions, Mr. Chairman, I would like to ask following the presentation.

No. 1. Mr. Howard, how many sites did you actually destroy in this operation?

Mr. HOWARD. In the first operation, it was two sites. There were six different fields in the two sites.

Mr. HUNTER. So you destroyed two sites. What area of this King's Range did you concentrate on? Was it a fairly small area?

Mr. HOWARD. We actually first flew the whole area. OK. We concentrated on those two sites because they were the larger of the sites.

Mr. HUNTER. How many sites did you pick up?

Mr. HOWARD. Originally it was 18 sites.

Mr. HUNTER. Are you satisfied that that was the full—that was 100 percent or close to 100 percent of the sites in the King's area?

Mr. HOWARD. No.

Mr. HUNTER. In other words, was it a very close reconnaissance where you thoroughly——

Mr. HOWARD. We flew it for 2 hours, with the Bureau of Narcotics Enforcement aircraft, Cessna 182, and in 2 hours we found 18 sites. No, we did not find them all.

Mr. HUNTER. How much more time do you think it would take to fly the whole King Range? We saw it was a very substantial piece of land.

Mr. HOWARD. If we had 4 or 5 more hours, I think we could have flown it in detail.

Mr. HUNTER. Would you say you probably saw about 25 percent of what was actually there? Would you say it would be reasonable to say there would have been 70, 80 sites, perhaps, in the entire range?

Mr. HOWARD. No; I think that we probably saw three-quarters of what was there.

Mr. HUNTER. So you think there is maybe 25 sites in the King Range?

Mr. HOWARD. Yes.

Mr. HASTEY. Mr. Hunter, I might just add to that, the King Range covers about 50,000 acres, and the serious problem there is the elevation differences there.

Mr. HUNTER. I saw, it is a very substantial area. What I am trying to figure out is what it would take. So basically you only destroyed two of the sites?

Mr. HOWARD. Right, sir.

Mr. HUNTER. When you fly these sites, I imagine just like a military operation, you have got the coordinates, you have a map that has the coordinates?

Mr. HOWARD. Right, longitude and latitude.

Mr. HUNTER. For any location you want to?

Mr. HOWARD. Right.

Mr. HUNTER. You are saying you have sites out there that you could destroy if you had the resources to do it; is that right?

Mr. HOWARD. That is right.

Mr. HUNTER. If you could destroy the marihuana, for example, on location and you didn't go to the trouble of hauling out the sprinklers and the paraphernalia that is used to grow it, how many people does it take and how many hours does it take to destroy an average site, assuming you are going to haul out the marihuana as you indicated?

Mr. HOWARD. Well, you know, I don't know what an average site is.

Mr. HUNTER. Let's say your largest site.

Mr. HOWARD. OK. Well, at our largest site there were three different fields. It took us all day long.

Mr. HUNTER. How many people?

Mr. HOWARD. About 25 people.

Mr. HUNTER. So you are saying with 25 people, so basically you had 25 man days to destroy your largest site?

Mr. HOWARD. Right.

Mr. HUNTER. So you have got another 18 sites; if you had the manpower, you could go right in and destroy them right now, I assume?

Mr. HOWARD. Yes, it would be possible, and that is in the works right now.

Mr. HUNTER. OK. Just a couple other things, Mr. Chairman. I don't really want to take up too much time, but I wanted to try to ascertain, if you had National Guard personnel, for example, or Reserve military, cooperation from the Reserve military, could you utilize them if they also provided helicopters in an operation like this?

Mr. HOWARD. If we could utilize them, certainly. It would be easy to teach them, you know, as far as the intersecrecies of what we are doing.

They obviously have the helicopters and the know-how and landing in rough areas and terrain, that type of thing, certainly.

Mr. HUNTER. Do you ever take your helicopter and rappel out of the helicopter or get them down to, say, 15 or 20 feet above the ground and go down on a rope?

Mr. HOWARD. No. Just too dangerous. We try to go into an area where we don't have to jump more than 5 or 6 feet.

Mr. HUNTER. I am not talking about jumping. I don't like to jump out of helicopters, but usually you can go down where you can climb down a rope, if you can hang it out 15 or 20 feet above the ground, you can get into most sites.

Mr. HOWARD. The problem is training everybody to do that safely.

Mr. HUNTER. If they were able to do that, if you were using military people they could do that, I assume it would make the operation more economical because you wouldn't have the 2-mile hike?

Mr. HOWARD. Right.

Mr. HUNTER. And you could work right out of the helicopter?

Mr. HOWARD. Right.

Mr. HUNTER. One last question: What type of success did you have with these machines that will destroy this stuff in site where you don't have to haul it up and truck it away?

Mr. HOWARD. Well, after we got into what the logistics would be to try to get the machines in there, it was not economical to do it.

Mr. HUNTER. Have you looked at any small machines that you could carry fairly easily that would chop this stuff up?

Mr. HOWARD. We did, and the time it would take would be so much more than just hauling it out. If we tried to do that, the helicopters either got to sit on the ground and you have all those people there. It was easier just to haul it out, because after we whacked it down, it took very little time to put it in the net and get the helicopter to come in and haul it back.

Mr. HUNTER. OK. Let me see here. How many helicopters did you have?

Mr. HOWARD. Just one, sir.

Mr. HUNTER. How much money did you spend on this operation?

Mr. HOWARD. The Bureau of Land Management, on the first operation we had about $7,000 invested in that operation.

The second operation cost us about the same, sir. Now, that does not include the manpower of Humboldt County, Bureau of Narcotics Enforcement, and the helicopter. It does not include that. Just includes Bureau of Land Management's part, sir.

Mr. HUNTER. Thank you.

Mr. LEWIS. Mr. Chairman.

Mr. RANGEL. Mr. Lewis.

Mr. LEWIS. I wonder if I could follow up on that.

Congressman Hunter is really touching upon our need to be able to trace what kinds of real costs and coordination are needed to first identify sites, then go in and clean up crops and perhaps following up in terms of eliminating equipment that is onsite.

I would think the committee would want some help in terms of those sorts of cost estimates, but beyond that, this is obviously a very sophisticated problem that involves a multilevel of governmental responsibility.

I would be interested in comments you would have regarding the need for new authority in terms of coordination between agencies.

If you start with Forest Service people working with county people to identify a site and destroy it, this raises all kinds of questions in terms of law enforcement.

When you fail to clean out a site and a crop is harvested it has to be delivered somewhere. There has got to be a chain of criminal activity that runs the gamut. When you intermix that with the potential of imaginative horticulturalists, finding poppies that would grow effectively in the territory, we are talking about a potential danger that is way beyond that which I had imagined.

So do you have any comments regarding general estimates of costs of initial operation, and a need for change in the Federal Code to allow for the kind of cooperation this requires?

Mr. HASTEY. I think you will find in the presentation tomorrow we get into much more detail, but the campaign against marihuana planting, which you referred to as CAMP, that entails the coordination of the Drug Enforcement Administration, BLM, the Forest Service, the U.S. Marshal Service, the Bureau of Narcotic Enforcement, State of California, the Office of Emergency Service, California Division of Forestry, California Highway Patrol, and mainly the county sheriffs.

So we do have now in place a coordinated group working together. Last year a meeting that was called by Zane Smith, we had all these groups together. It was very obvious that the only way we could attack this problem was through a coordinated effort pooling dollars, equipment and personnel, and that is a thrust for this season, to use a coordinated approach where we each complement both manpower and dollars and equipment and maximize the State and county and Federal dollar.

In terms of cost per raid, I guess I would prefer to allow us to spend some time and maybe furnish that for the record, working with the Bureau of Narcotic Enforcement, to give you a better assessment of the costs and the output from those dollars.

Mr. LEWIS. Is it correct to presume that this was not a one-shot operation, but rather an ongoing effort to learn more about the needs for coordination and——

Mr. HASTEY. Last year was more of a partial coordinated program. The raids that they talked about this past spring, which was more of a preventive measure, was kind of the start of this coordinated approach. You will find the next few months we will really start operating on a very aggressive coordinated approach with all of these agencies.

We are still looking to the county sheriff as being the key player in this program, and they will be taking the major lead. But the Federal and State are providing both people, dollars, and equipment. We are very optimistic about the approach we are taking this summer.

Mr. LEWIS. One more question, if I may, Mr. Chairman. Presuming you have plans to continue this operation, I think the committee would like to know who plans to make specific recommendations to the authorized committees, who plans to bring to the Appropriations Committee appropriate recommendations to allow us to move forward as quickly as possible.

Somebody has to take the lead and usually, within our normal pattern, there is great hesitancy to jump out in front.

Mr. HASTEY. Yes, I think the way you will find the process working right now is, each Federal agency, Forest Service, BLM, or the drug enforcement agencies, requesting funds on their own.

The total assessment has never been pulled together in one total program, and that is something we could do to get the Appropriations Committee a better picture of the total cost, which includes more than just the Federal agency.

Mr. CHAPPIE. Mr. Chairman, to that point, if I may.

There is one aspect to this problem that concerns me, and ultimately the local taxpayer picks up a very large share of this burden. As you begin to emphasize the destruction of these types of operations, you then dilute the ability of local law enforcement to take care of the problems at home.

We have constraints due to proposition 13. We know that we have the PILT program, the payment in lieu of taxes. My conclusion is totally inadequate and I think the witnesses here would concur in that thought.

To that point, I think the committee has to give much more emphasis in terms of what we are doing to reinforce local law enforcement because of the offset involved in assisting in this operation on public lands that do not generally raise taxes.

In most of my counties, you will find up to 80 percent of these lands are in public ownership, so it is a tremendous burden on local law enforcement and the local resources.

Thank you.

Mr. RANGEL. At this time I would want the witnesses to continue their testimony. We have copies of your written testimony, and to a large degree it follows the slide presentation that we have just viewed and heard

We recognize the damages it does to our wildlife and to natural resources and to employees and to users of the area, but I guess you can see that we are a national committee coming from the Congress, and we talk about public lands, national forests, and I got the impression that you were telling us that—well, let me hear your testimony first, and then I have certain questions I would like to ask about what do we leave here believing is our responsibility.

I would like to believe that if we talk about national parks and Drug Enforcement Administration, that we are going to assume that that is where the responsibility is, rather than in Humboldt County, but, Mr. Hastey, why don't you give your presentation, and, Mr. Smith, and then we will all continue our inquiries.

TESTIMONY OF ED HASTEY, STATE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT

Mr. HASTEY. Thank you, Mr. Chairman.

Mr. RANGEL. Your full statement will appear in the record.

Mr. HASTEY. That is correct. It has been furnished to the committee, and what I will try to do is only highlight parts of that in the interest of time, and like you say, much of my statement has been covered in the slide presentation. But I would like to highlight a few points, if I may.

Mr. RANGEL. Sure.

Mr. HASTEY. Efforts to eradicate marihuana and crops in foreign countries and prevent smuggling is more effective than before. California's marihuana crops and related problems have increased dramatically in the past 5 years, and this has been referred in a recent GAO report and articles in the newspaper recently.

One of the reasons why California is such a major producer is because of the excellent growing conditions and the remote ownership of the Federal lands also accessible to markets of large populations. Public lands are preferred because they are often remote and land ownership can't be traced to individuals, only traced to BLM.

We don't know the total magnitude in California of marihuana growing on public lands. The slide presentation talked about 40 to 50 percent. That is only a guess. A recent inventory report put together by the State of California, the Western States Information Network, showed about 28 percent of the marihuana plantations found in California were on public lands. Seventy-two percent on private.

So the 40 percent, if you look at the ownership of Federal lands in California, may not be too far off, but like I mentioned, it is only a best guesstimate.

The adverse effects of marihuana growing on public lands has been well articulated, I think, in the slide presentation. Last September, BLM in California developed and was accepted by the Director of the Bureau of Land Management, a policy condemning this illegal use of public lands and surroundings to work with officials to help solve the problem.

Toward this end, we have developed four major categories to emphasize this program.

First is detection, and that is both in aerial and also from informants.

The second is to emphasize public and user safety through brochures and training.

The third is employee safety, which is a concern of ours in terms of how we protect our employees working on the public lands.

The fourth is law enforcement. That is prevention by patrols and actual eradication.

As I described earlier, I think the key to the success of this program is this effort that we have started this year, which is joining forces with other Federal, State, and local agencies in a coordinated eradication program known as CAMP [campaign against marihuana planting], and I think you will find a good discussion on that tomorrow when you have additional testimony from the State of California.

Mr. RANGEL. OK. I assume——

Mr. HASTEY. BLM is contributing funds, equipment, and law enforcement personnel to work on this effort this year.

Mr. RANGEL. Who is in charge down here of this effort?

Mr. HASTEY. Bureau of Narcotics Enforcement are the people that have taken the lead in there.

Mr. RANGEL. Is that the drug enforcement——

Mr. HASTEY. It is the State of California, what they call the Bureau of Narcotic Enforcement.

Mr. RANGEL. So the lead agency is the State agency?

Mr. HASTEY. That is correct. Although we are looking to the counties, sheriffs in the various counties will take the actual lead in the raids themselves.

But the coordinating effort is a joint effort and various leads or various aspects of it have been passed around to the various agencies. But the overall coordinating factor has been through the State of California. The attorney general tomorrow will talk in some detail about that.

Mr. RANGEL. Now, what role does the Drug Enforcement Administration play in this effort?

Mr. HASTEY. The Drug Enforcement Agency has been a key player in terms of fund contributions or fund assistance, and also in helping to develop the program. They have people involved in this program and they will be testifying later.

Mr. RANGEL. Without you being stuck with some figure, generally speaking, if you had to think of the cost of your annual operation in eradicating and getting some type of control of marihuana growth on public lands, in a very general way, what percentage would you believe the Federal contribution is in percentage of dollars?

Mr. HASTEY. I would really prefer not to make a wild guess on that, Mr. Chairman, if I could. I just don't have a——

Mr. RANGEL. Well, we are here in California because we are fearful that this is happening in other parts of the country.

Mr. HASTEY. It is.

Mr. RANGEL. And we do believe that it is our responsibility to have a national presence. Certainly local and State governments know their problem better than we do in Washington, but I think the size of the operation allows us to believe that we can no longer look at this as a local problem, nor can we look at public lands and Federal park areas as being a local problem.

So I do hope that as you people get together, that you give some type of mandate to the Drug Enforcement Administration so that as we return to Washington, we will have a better sense as to what your needs are and how we can help you to meet the problems that you face, because it is not just one that the people of California should be carrying by themselves.

[Mr. Hastey's prepared statement follows:]

STATEMENT OF ED HASTEY, STATE DIRECTOR
CALIFORNIA STATE OFFICE, U.S. BUREAU OF LAND
MANAGEMENT, DEPARTMENT OF THE INTERIOR BEFORE
HOUSE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

I appreciate the opportunity to appear before the committee this morning to discuss the illegal cultivation of Cannabis, from which marijuana is produced, on the public lands managed by the Bureau of Land Management in California.

In recent years, the illegal cultivation of Cannabis on BLM-administered public lands has become a serious problem. The influx of marijuana growers onto the public lands has created a situation which now poses a threat to BLM employees who manage the lands, permittees who utilize the resources, and to the general public who use the lands for recreational purposes.

This situation has evolved over about the last five years to the point where it is estimated that approximately 40% of the total statewide cannabis crop is grown on BLM and Forest Service lands.

BLM and Forest Service lands are chosen specifically because of the general remoteness of the lands and because California's climatic and soil conditions are ideal for the cultivation. A grower prevents identification of himself because of Federal ownership of the property.

The detrimental impacts of cannabis cultivation on the public lands falls into three major categories:

(1) The public lands are becoming increasingly unsafe for the visitor public as well as BLM and Forest Service employees who have management responsibilities.

(2) Authorized users of the natural resources, such as miners, loggers, and ranchers, are being restricted from entering areas used for cannabis cultivation.

(3) The resources and the environment are being damaged.

Cannabis growers are known to have used booby traps and antipersonnel weapons which fire shotgun shells at knee level, fish hooks have been hung at eye level, punji sticks have been hidden in holes where they can penetrate and injure hikers or BLM personnel who happen near a marijuana growing site, and large steel bear traps have been set to injure visitors who step on them, all indiscriminate as to who the intended victims might be.

Arsenic-based poisons are used around growing plots to eradicate small animals, including rodents, with a taste for eating cannabis plants. The arsenic kills the small animals, but the deadly impact extends far afield as other animals in the food chain, including raptors, consume these dead animals and themselves become victims and die.

These poisons leach into the ground water supply from the cannabis plots and may spread its deadly results throughout the area and finally into water supplies downstream.

Experts have traced the growing of cannabis on the public lands to national efforts to curtail marijuana supplies illegally imported from foreign countries. As the success of those efforts have increased, cannabis growers have expanded on their efforts within the nation's borders. Producing an illegal crop of marijuana closer to home reduces the need for transportation across the nation's borders and expands

the success ratio in production of crops grown locally.

Nearly every State in the Union has been found to have some kind of cannabis cultivation problem, but California, with its long growing season and excellent weather, has become the prime growing location. And, within California itself, as one county wages successful war against marijuana and the cultivation of cannabis, the growers simply move on to a new, and even more remote corner of the public lands.

When these illegal crops were first introduced to the public lands, they were easily spotted from aircraft because public lands do not normally have any kind of cultivated land within their borders. The first growers cultivated south-facing lands, after clearing the sites, and planted their crops in rows. As eradication and detection efforts have continued, however, the growers have become more sophisticated in their approach and now grow smaller irregular patches, or tend to try to hide them among the trees and in areas much more difficult to spot from the air.

On November 12, 1982, the Director of BLM set the policy for the Bureau, saying: "The cultivation of marijuana on the public lands is illegal and an unauthorized use of the public lands which often has adverse impacts on the public resources, public access and safety, and the safety of BLM employees. It is the policy of BLM to work cooperatively with other land management and law enforcement agencies

to prevent the cultivation of marijuana on the public lands. BLM managers and law enforcement personnel will coordinate with local law enforcement officials to meet this goal. The local law enforcement agencies have the lead responsibility for taking enforcement and legal action."

As a part of that policy, the Director required State Directors to create a BLM central records system where information on marijuana cultivation on the public lands would be reported, compiled, updated and disseminated to proper law enforcement authorities. State Director's were also directed to develop an employee awareness program to help BLM employees conduct their duties in a safe manner when confronted by a situation related to marijuana cultivation on public lands.

In the fall of 1982, raids were conducted on six (6) marijuana growing sites in the King Range National Conservation Area with 593 marijuana plants, each with a potential value of $2,000, being removed and later burned. Law enforcement personnel from the Humboldt County Sheriff's Office, The Bureau of Narcotic Enforcement (BNE), of the State of California's Department of Justice, conducted the raids in coordination with two BLM Special Agents.

Reports of threats and harassment towards public land users and Federal and State government employees continued and new plans were formulated to remove large quantities of equipment left on the previous years growing sites. Joining in these plans with the previously mentioned law enforcement agencies were the U.S. Customs Service, California Department of Forestry, and California Highway Patrol.

These raids began April 4 of 1983 and continued through April 9. Approximately five (5) tons of cannabis growing equipment and supplies were removed from the King Range sites. Included was about seven miles of plastic piping, sophisticated irrigation valves, plastic swimming pools used for water reservoirs in the irrigation of crops; chicken wire fencing and posts used to protect the crops from deer and small animals; plastic coated chicken wire hot-houses, where immature plants were started; and dry and liquid fertilizers.

In addition, 1,000 marijuana seedlings were confiscated, along with a new crop being tested in the area--opium poppies--and seeds. Also confiscated were 50 pounds of dried marijuana "shake", and various bags of marijuana seeds. A 7-horsepower gasoline-powered centrifugal irrigation pump and five (5) solar panals, apparently stolen from a U.S. government facility, were also recovered from this remote area.

All of this material was transported out of the area to a nearby headquarters site. The irrigation materials will be used by BLM in range improvement projects in other areas.

Marijuana cultivation, it should be noted, now generates revenues which surpass those of most major legal crops. Until recently in some areas of California, this activity was actually welcomed to some degree by local business interests. But, the growing marijuana industry brought with it an influx of undesireables and the increasing crime rate has convinced most local officials that marijuana cultivation and crime go hand in hand.

The Western States Information Network, reporting on marijuana cultivation in 1982, stated that 41 counties in California had reported

to WSIN 661 seizures involving 1,152 crops. Some 90,000 plants were seized, containing 134,000 pounds of marijuana. 143 suspects were arrested, and 525 weapons confiscated.

Marijuana is not the only drug encountered. In 1982, California raiding authorities found other drugs associated with the cannabis including eleven (11) cases of amphetamines; 23 cases of cocaine; 7 cases of opium poppies (and a potential new problem); eight cases of LSD.

The 1982 report indicated that 125 cannabis sites were located on public lands, with Butte (12), Del Norte (14), Monterey (25) and Siskiyou (41) counties leading the way. It should be noted, however, that since we are in the early stages of this effort, reporting techniques are still being ironed out and therefore the figures may not be totally accurate.

BLM has now joined with numerous other Federal and State agencies in a coordinated Federal, State and local government effort against marijuana cultivation in California and elsewhere. Local county sheriff's offices are the lead agency in eradication efforts known as the Campaign Against Marijuana Planting (CAMP). They are supported by funds, equipment and personnel of U.S. Customs, Forest Service, BLM, Bureau of Narcotics Enforcement, California Department of Forestry, California Highway Patrol, and others, all with the goal of eliminating marijuana production on Federal, State and private lands in California.

This effort at prevention of marijuana distribution, through regular patrols and other means and eradication at the source, is

much more efficient than trying to combat the problem through the transportation networks or on the streets. Even if we begin now to attack the problem at the source it will probably take some time to know if we are being effective.

In FY 1983 and FY 84 here in California we have assigned one special agent full time to this effort and used some funds toward the CAMP effort.

At some point soon we do need to develop an accurate and continuous inventory system within BLM so that our local land use managers will have current information on which to base decisions about where crews can safely work and where visitors can safely use the public lands. Currently no such system is in place.

We are planning to refine and conduct training sessions for our regular field employees, so they know what to look out for and how to conduct themselves in dangerous situations.

The cultivation of cannabis on the public lands is a fairly new but rapidly growing problem which will require vigorous efforts to bring about a viable solution guaranteeing to the American public--the thousands of visitors to the public lands--and the public employees who must work in remote public land areas, that they will be safe from harassment and assault from those individuals who violate the law by growing marijuana on the public lands.

That concludes my testimony. I would be happy to answer any questions.

Mr. RANGEL. Mr. Smith, we have your statement. We see it follows the line of the presentation, so by unanimous consent, your statement will be entered into the record and you may proceed and highlight your testimony.

[Mr. Smith's prepared statement follows:]

27-748 O - 84 - 3

STATEMENT OF
Zane G. Smith, Jr., Regional Forester
Forest Service
U.S. Department of Agriculture

Before the
House Select Committee on Narcotics Abuse
and Control
Redding, CA

July 24, 1983

Domestic Cultivation of Marijuana

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

We appreciate the opportunity to appear before the committee to provide information regarding the cultivation of Cannabis (marijuana) on National Forest System lands.

The Forest Service is a professional land managing agency charged with the responsibility of administering and managing over 190 million acres of Federal lands nationally, twenty million acres of which are in the State of California. These lands produce a variety of renewable natural resources, vital to our Nation's economy and quality of life.

During the past 4 years, there have been numerous observations reports of Cannabis being cultivated on Federal lands, including National Forest System lands. This unauthorized use of land for growing Cannabis constitutes trespass and conflicts with the land manager's ability to accomplish the objectives for which Federal lands were established.

The Forest Service is becoming increasingly concerned with Cannabis cultivation because of:

1. The adverse impact on the safety of visitors, contractors, and our employees.

2. The uncontrolled introduction of pesticides and fertilizers into the environment.

3. The adverse impact on our ability to accomplish management objectives for the National Forests.

4. The fact that Federal laws are being violated.

In 1981 and 1982 we estimate there were several hundred Cannabis operations on National Forests in the State of California with some forests having in excess of 50 operations. So far this year, our preliminary assessment suggests there are at least 900 Cannabis sites involving as many as 215,000 plants under cultivation within California's National Forests. We suspect this represents only a portion of what exists. Illegal cultivation of Cannabis on Federal lands is becoming an even greater problem than previously thought.

Our most immediate concern is for the safety of employees and visitors to the National Forests. Some very serious confrontations have occurred. These range from booby trapped trails involving hand grenades to face-to-face encounters with armed growers. Networks of fishhooks have been found hanging in vegetation around some plantations, and at least one "punji" was located. This is a pit dug along travel routes containing sharpened sticks pointing upwards. This technique was used extensively in such places as southeast Asia. Wildlife biologists & range management staff have been shot at while working in isolated locations. In all these cases, Cannabis plantations were subsequently discovered near the site of the

incidents. Some members of a volunteer fire department received threats on their lives in connection with fire prevention inspections being carried out in one area, and recently a District Ranger was told that neither his life nor his property would be safe if Cannabis raids continued.

The adverse environmental impact of the intensive use of pesticides and fertilizers on Cannabis plantations is also a concern. Even though cultivation techniques vary, it is common to find large stores of fertilizers and a variety of pesticides. From the evidence left at the investigated sites, large quantities of these chemicals, perhaps as much as 300 pounds per acre, are used in connection with Cannabis cultivation without appropriate safeguards to other vegetation, animals, or waterways. At this level of application rodents, birds and various predators are seriously affected. There is high potential of chemicals leaching into streams, since most cultivation is being attempted in riparian (streamside) zones. Serious impact on the aquatic plant and animal life of the streams as well as potential health hazards related to downstream use of the water will result. We are also concerned about the erosion that will occur as a result of the elimination or modification of natural vegetation.

There is no question that the expansion of Cannabis cultivation within National Forest boundaries is increasingly affecting the Agency's ability to accomplish its management responsibilites in many areas. Because of the threat to employees and contractor safety, we are modifying timber sales schedules to avoid known plantation areas. A variety of silviculture activities have been rescheduled until law enforcement authorities can take appropriate actions. Surveying crews, timber marking personnel, fire prevention patrols, archeological reconnaissance and site studies, and wildlife field activities are all affected by the need to exercise extreme caution or avoid many areas altogether. Interestingly, we have also found that supposed public resistance

to intensive forest management activities, such as timber harvesting and wildlife habitat improvement, is frequently high in and adjacent to the areas where the cultivation of Cannabis is known to exist.

The things I have been describing are samples of a difficult and dangerous situation which we are faced with in managing the National Forests in California. Other public and private lands are experiencing the same impacts as activity increases. About two years ago the Forest Service began to take more aggressive, organized action in concert with a variety of local, State and Federal agencies to minimize the affects of the Cannabis operations in and on wildlands. I believe this coordinated effort is experiencing success.

The Forest Service, working within existing authorities and jurisdictions, concentrates on: safeguarding personnel through training and orientation; alerting and informing forest visitors about the problems; cooperation with and support of appropriate law enforcement agencies; and participation in the Statewide inter-agency task force whose main purpose is to consolidate and coordinate use of available resources for maximum effect. All the Forest Service efforts are directed toward meeting the objectives of the President's illegal drug prevention strategies.

The actions undertaken by the Forest Service in the California Region to safeguard employees and visitors include such things as: special training for certain law enforcement personnel; orientation of employees and their families towards recognition and reporting of plantings; application of security and protection measures in some locations; and implementation of a public information action plan.

The latter includes use of news releases explaining the problem of cultivation on National Forests, distribution of a "Visitors Take Caution" brochure, participation in press conferences,

briefings sessions with local organizations and community leaders, and later, development and distribution of public service spots for radio and television use.

In addition to general employee orientation about recognition and reporting of Cannabis plantings, employees who must work in isolated areas are given instruction about how to act in the field. They are kept informed about known plantings so they can avoid them. Personnel are instructed to be open and obvious about the field activities they are carrying out to help establish the legitimacy of their presence and in no circumstances to provoke or foster confrontations. When in doubt or challenged, get out fast is our motto.

In connection with our participation in the inter-agency task force, (which includes the various Federal, State, and local authorities in a coordinated effort to eradicate Cannabis,) we have earmarked $292,000 of FY '83 Cooperative Law Enforcement funds and will contribute in excess of 2,000 days of law enforcement personnel time toward the effort to eradicate Cannabis. Under the leadership of local law enforcement agencies, we supply backup during a variety of on-the-ground activities, and we participate regularly at the inter-agency command center now in operation in Sacramento.

It is important to clarify the legal situation that applies to National Forest System lands. Nearly all of the National Forest System lands are in proprietorial jurisdiction. Proprietorial jurisdiction means the Federal Government has acquired rights or title to the land, but the States and local governments retain jurisdiction and authority to enforce State and local laws. The State and local law enforcement agencies have the same authorities and responsibilities on the National Forest System lands as on any other lands in their jurisdictions. Violations may be investigated by either local, state, or Federal agencies with authority to initiate investigations involving narcotics and

In the case of Cannabis grown on the National Forests, the proper Federal agencies are the Drug Enforcement Administration which has traditionally had this authority, and the Federal Bureau of Investigation which was recently granted authority to investigate controlled substance cases. This authority does not extend to the Forest Service. The Forest Service does, however, have authority to enforce laws and regulations governing the use of National Forest System lands. Violations of regulations promulgated by the Secretary of Agriculture are punishable as petty misdeameanors with a maximum of 6 months in jail and $500 fine. Since Cannabis is cultivated on wildlands with complex combinations of ownerships, within and adjacent to the National Forests, we believe that the current jurisdictional situation is appropriate.

As previously stated, the Forest Service is not charged with the responsiblity of enforcing the controlled substance laws nor is it appropriate to consider granting increased authority to the Forest Service in this area. Our employees are neither trained nor qualified to initiate independent actions aimed at the enforcement of controlled substance laws.

We recognize that the costs to the States and counties of providing protection to visitors and their property on the National Forests can sometimes be higher than average. The Act of August 10, 1971, Cooperative Law Enforcement (P.L. 92-82) provides the means to supply some reimbursement for these costs including the extraordinary costs of investigating suspected Cannabis cultivation on the National Forests. In FY '83 about $1 million of the cooperative law enforcement funds appropriated nationally will be used specifically in connection with Cannabis investigations. As previously mentioned, $292,000 of that is being made available in California.

There is no question that growing Cannabis in wildland areas is an increasingly serious problem. Public lands have become a favored location because of their remoteness, sparse populations and other conditions that favor the production of very valuable crops. Confrontations between growers, Forest Service employees and Forest visitors will, unfortunately, continue and we are just entering the primary harvesting period of September and October when most of the confrontations occur. Unless conditions of supply and demand change dramatically, the use of suitable Federal public lands to cultivate Cannabis can be expected to increase.

We believe the role of the Forest Service is to cooperate with the appropriate local, State, and Federal agencies to agressively reduce the number of successful Cannabis growing operations on National Forest System lands. The leadership role should continue to be with the appropriate law enforcement agencies. We will continue to work agressively in this inter-agency effort to the full extent that our resources permit.

Mr. Chairman, this concludes my remarks. I would be pleased to answer questions you may have or furnish additional details.

Forest Service
Pacific Southwest Region
Marijuana Statistics and Program - 1982

	Known / Estimated No. of Gardens	Estimated No. of Plants
Number of Marijuana "GARDENS" 1/ known to exist on NF lands in Calendar Year 1982.	754	114,911
Number of "GARDENS" harvested successfully by growers.	2,437	331,440
Number of Confiscations on the Forest in 1982.	424	55,561

Personnel Resources Invested on the National Forest	Person Days 2/		
	S	I	E
Number of person days spent by local law enforcement officials.	452	486	1410
Number of person days spent by State police officials.	67	25	477
Number of person days spent by DEA, FBI, etc.	102	10	50
Number of person days spent by Forest Service employees.	299	940	1,102

	ACRES
Number of acres of National Forest Land with reduced management/public use potential due to marijuana gardens and culture associated w/ marijuana cultivation.	492,610

1/ GARDEN - A distinct plantation or small groups of plants suspected to represent a given individuals' or groups' cultivation effort.

2/ Person Days: S - Surveillance, I = Investigations, E = Eradication

(Preliminary statistics)

Marijuana cultivation on National Forest land was recognized by the Forest Service as an emerging adverse impact in 1980 when we developed a brief policy statement indicating that we were committed to cooperating with other agencies in addressing the problem. In 1981, we produced a 75-page in-depth report showing that the adverse impact was rapidly increasing. We then developed an action plan and in June, 1982, a comprehensive policy statement requiring Forest Supervisors to develop individual action plans. We convened an interagency meeting and gained agency, public, and political support. We were able to provide $195,000 in Cooperative Law Enfrocement funds to individual counties which resulted in 454 marijuana gardens (55,000 plants) being confiscated from National Forest lands. We estimated that over 7,000 gardens (300,000 plants) escaped detection. This year $292,000 in CLE funds are being allocated to the problem. We are developing better detection capabilities through remote sensing, and interagency efforts and coordination have vastly improved.

Marijuana

Generally it is safe to attach a $1,000.00 per plant figure as a potential wholesale value to the grower for all plants seized. At $1,000.00 each, we confiscated 55,000 plants in 1982 with a value of $55,000,000.00.

Average wholesale value of one ten-foot female Sinsomilla plant:

leaf - 368 grams
bud - 763 grams
stem - 698 grams

Total Wt. - 1829 grams = $3,350.00 per plant 1/

1/ Butte County study 1982
Wisin Digest Oct./Dec., 1982 #1364

Forest Service
Pacific Southwest Region
Law Enforcement Statistics
Fiscal Year 1982

Total number of crimes committed against National Forest resources, property and employees reported by the Forest Service		43,478
Number of citations issued by the Forest Service for violation of Federal Regulations (petty offenses)		14,233
Number of written and verbal warnings given by the Forest Service for violation of Federal Regulations (petty offenses)		19,341
Number of criminal complaints filed by the Forest Service relative to crimes committed against National Forest resources, property and employees exclusive of petty offenses.		169 1/
Number of convictions relative to complaints	- 135	
cases pending	- 26	
cases dismissed	- 8	
Number of criminal investigations conducted by the Forest Service		2,742
Number of civil investigations (tort claims for and against) conducted by the Forest Service		1,123
Number of internal affairs investigation conducted by the Forest Service		110
Number of crimes reported against National Forest resources, property and employees where no suspect was identified		9,674
Number of crimes against National Forest resources, property and employees with insufficient evidence to prosecute		61
Number of Forest Service Special Agents		25

1/ Includes 68 arrests

Number of Forest Service Law Enforcement Officers	60
Number of Forest Service employees engaged in law enforcement activities on a part-time basis	1,250
Total number of crimes reported against persons and their property using National Forest lands and facilities	19,723
Number of arrests and/or complaints initiated by local Sheriffs relative to crimes committed against persons and their property using National Forest land and facilities	1,674

Cooperative
Law Enforcement

36 Cooperative Agreements with Counties
44 Joint Operating and Financial Plans
Approximately one million dollars annually

[illegible] is responsible for: (1) enforcement of Federal laws and regulations relating to the National Forest System, (2) cooperation with State and local law enforcement agencies in the enforcement of all State and local laws on lands within the boundaries of any unit of the National Forest System, (3) aid to States in all ways that are practical in the enforcement of the laws of the States concerning livestock, the prevention and extinguishing of forest fires and the protection of fish and wildlife, and (4) aid to other Federal agencies in the performance of their duties as they relate to the National Forest System.

Our objective is to develop and maintain a law enforcement program that will help ensure (1) compliance with laws and regulations, (2) protection of the public and their property, (3) protection of Forest Service employees, and (4) protection of forest resources and property.

Law enforcement in the Forest Service consists of prevention, detection, investigation, and reporting of violations of laws and regulations including those actions leading to the initiation of and assistance in criminal and civil proceedings and cooperating and aiding other law enforcement agencies in fulfilling their respective responsibilities.

Title 16 U.S C. 559 authorizes Forest Officers to make arrests in compliance with the Federal laws and rules relating thereto for violation of the Federal laws and regulations relating to the National Forest System.

The Forest Service maximizes use of the cooprative law enforcement program, 16 U.S.C. 551a, to improve protection of persons and their property when visiting the National Forest System land. However, it is not the intent of 16 U.S.C. 551a for State of local authorities to assume Forest Service law enforcement responsibilities nor for the Forest Service to assume theirs. It is Forest Service policy to provide maximum protection to the public and their property through cooperation with other law enforcement agencies and to fulfill its own responsibilities in the enforcement of laws relating to the administration of the National Forest System.

Forest Service
Pacific Southwest Region
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Wisin Digest Oct./Dec., 1982 #1364

FOREST SERVICE MANUAL
SAN FRANCISCO, CALIFORNIA

INTERIM DIRECTIVE NO. 5 June 24, 1982

DURATION: One year from issuance date unless previously terminated or reissued.

CHAPTER: - 5300 LAW ENFORCEMENT

POSTING NOTICE: Last R-5 ID is No. 4 in 5310 which has expired.

This interim directive addresses the problem of marijuana cultivation on National Forest System lands and establishes R-5 policy relative to management actions to deal with the problem.

Marijuana cultivation on NFS lands in R-5 and intermingled private lands is widespread and increasing. All responsible Law Enforcement agencies have limited resources to deal effectively with the problem independently. Marijuana cultivation poses a significant threat to the public and Forest Service employees and their families and creates adverse impacts on resources and the environment.

5301 - AUTHORITY. Federal statutes (Title 16 United States Code Sections 551, 551a, 553, and 559, and Title 18 United States Code Section 4) provide authority for the Forest Service with respect to NFS lands to: (1) regulate occupancy and use; (2) cooperate with States in the enforcement of State laws; (3) aid Federal bureaus and departments in the performance of their duties; (4) make arrests; and (5) report all felonies to proper authorities.

The State Attorney General through the Bureau of Narcotics Enforcement and County Sheriffs has authority for enforcement of State narcotics laws. The Federal Bureau of Investigation, Drug Enforcement Administration, Customs Service, and Coast Guard enforce Federal narcotic laws.

5302 - OBJECTIVE. To eliminate and prevent marijuana cultivation on NFS lands and protect life, property, and resources.

5303 - POLICY. To develop and carry out with other affected agencies a cooperative program to eradicate and prevent marijuana cultivation on NFS lands in Region 5:

1. Employees will report information concerning marijuana cultivation on NFS lands to proper authorities through their line officer.

2. The public and employees will be informed of the adverse impacts to resources and the public caused by marijuana cultivation on NFS lands.

3. Marijuana cultivation will be prevented through: (a) the use of a public reporting identification system; (b) media coverage of Forest Service actions demonstrating commitment; (c) use of non-confrontive early deterrent measures; and (d) initiation of prosecution against growers.

4. Marijuana growing locations will be detected and inventoried.

5. The Forest Service will support and cooperate with other law enforcement agencies in taking action against marijuana cultivation on NFS lands.

5304 - RESPONSIBILITY.

Regional Forester

1. Coordinate and cooperate with counterparts in Federal and State agencies as well as private entities.

2. Coordinate the Regional Program with the Washington Office and Region 6.

3. Coordinate use of Forest Service, State and Federal law enforcement services between individual Forests.

4. Provide for special training and equipment for Forest Service Special Agents and Law Enforcement Officers.

5. Implement public information plans.

6. Implement applicable portions of the current Regional Action Plan.

27 748 O - 84 - 4

Forest Supervisors

1. Coordinate and cooperate with adjacent Forests, other agencies, and private entities at the local level.

2. Compile inventory of marijuana cultivation on NFS lands internally and through contact with local authorities.

3. In coordination with the Regional Forester, assess availability of resources from other agencies and Forest Service and plan their best utilization against the known inventory of cultivation.

4. In coordination with the Regional Forester, program P.L. 92/82 funds to assist in local enforcement efforts to ensure that our objectives can be met.

5. Develop marijuana eradication and prevention plans in cooperation with the Regional Forester and other agencies which include the following:

- public information
- detection
- verification
- eradication
- apprehension
- prosecution
- intelligence gathering and sharing
- interagency cooperation/coordination
- operations backup
- funding levels and priorities
- security and protection measures for Forest Service employees, their families and Forest Service facilities
- site rehabilitation and removal of improvements

6. Implement the Forest Action Plan after selection of locations for enforcement action based upon: (1) decision to use Forest Service resources; and/or (2) commitment of local law enforcement agencies.

District Rangers

1. Ensure that all employees are familiar with the R-5 marijuana policy and their responsibility to report all information regarding marijuana cultivation on NFS lands to proper authorities through their line officer.

2. Provide necessary input and support to develop and implement Forest Action Plans.

Thomas L Price

For ZANE G. SMITH, JR.
Regional Forester

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
PACIFIC SOUTHWEST REGION
July 1982

PACIFIC/SOUTHWEST LOG

Marijuana Cultivation on the National Forests

Increasing threats to visitors, acts of violence, and intimidation of Forest Service employees led Regional Forester Zane Smith, Jr., to announce in June new interim directives for dealing with the problems associated with marijuana cultivation on the National Forests in Region 5.

The interim directives require close cooperation with federal, state, and local law enforcement agencies to prevent marijuana cultivation and protect visitors and employees.

Background

Since 1978, use of National Forests and other Federal lands to cultivate marijuana has increased dramatically. Throughout the National Forest System, marijuana valued at more than $700 million was confiscated in 1981 by law enforcement agencies, of which $254 million came from Region 5. It is estimated that more than $2 billion of the total $8 billion worth of marijuana harvested in the United States that year came from National Forests.

Given the high stakes, growers may resort to violence to defend their crops. Some use trained attack dogs, automatic weapons, hand grenades, booby traps, and electronic surveillance to guard against "intruders." Shootings and murders connected with marijuana cultivation are increasing, and in 1981, the Forest Service received 800 reports of confrontations between growers and visitors to the National Forests. Forest Service employees have been warned to "mind their own business" or they and their homes and families will be attacked.

Most confrontations with visitors occur in August and September just before and during the harvest when marijuana has maximum value. Growers and their supporters in some areas are armed with automatic weapons, and even law enforcement officers must travel in groups and arm themselves with similar weapons in order to enter and leave the areas safely.

Law Enforcement

Marijuana cultivation on National Forests occurs mostly in rural counties where local population is low, economies are depressed, sheriff's departments are small, and the means to enforce laws against marijuana growers are limited. Public resistance to strict enforcement occurs in some areas where marijuana has become an important source of income.

States and counties have exclusive jurisdiction over enforcing the laws of the states and counties on the National Forests. The Forest Service does not have initiating investigatory jurisdiction over Federal laws relating to controlled substances. Federal law enforcement agencies like the FBI and the Drug Enforcement Administration which have such jurisdiction generally concentrate their efforts on traffic rather than the cultivation of marijuana. The State Attorney General, through the Bureau of Narcotics Enforcement and the County Sheriffs, has authority for enforcement of State narcotics laws.

Forest Service Authority

Federal statutes (Title 16 United States Code, Sections 551, 551a, 553, and 559, and Title 18 United States Code Section 4) provide authority for the Forest Service with respect to NFS lands to: (1) regulate occupancy and use, (2) cooperate with states in the enforcement of State laws; (3) aid Federal bureaus and departments in the performance of their duties; (4) make arrests; and (5) report all felonies to proper authorities.

The Forest Service has jurisdiction in a Secretary's regulation prohibiting any kind of work without a permit. While this regulation clearly applies to the unauthorized cultivation of marijuana, the maximum criminal penalties it provides are 6 months in jail and a $500 fine. The Forest Service has authority to assist County, State, and other Federal law enforcement agencies on the National Forests. In some areas, very effective Forest Service cooperation with other agencies in removing marijuana from the National Forests exists.

Regional Policy

The new interim directive issued by the Regional Forester include the following main policy statements for developing and carrying out with other affected agencies a cooperative program to eradicate and prevent marijuana cultivation on National Forests in the Region.

1. Employees will report information concerning marijuana cultivation on NFS lands to proper authorities through their line officer.

2. The public and employees will be informed of the adverse impacts to resources and the public caused by marijuana cultivation on NFS lands.

3. Marijuana cultivation will be prevented through: (a) the use of a public reporting identification system; (b) media coverage of Forest Service actions demonstrating commitment; (c) use of non-confrontive early deterrent measures; and (d) initiation of prosecution against growers.

4. Marijuana growing locations will be detected and inventoried.

5. The Forest Service will support and cooperate with other law enforcement agencies in taking action against marijuana cultivation on NFS lands.

High Stakes

Until 1978, most marijuana consumed in the United States was grown in other countries. Approximately 30 percent of the marijuana consumed in the United States in 1977 was produced in Mexico. In 1978 the herbicide Paraquat was introduced into part of the Mexican crop. Demand and the price for that marijuana, which might have been contaminated, fell sharply. The price of domestically produced marijuana rose dramatically by 1979.

Cultural and genetic improvements have resulted in the development of sinsemilla (seedless) marijuana. This domestically produced marijuana has a THC level of 5.0 to 6.0 percent. The THC content determines the effect of marijuana use on the central nervous system. In comparison to sinsemilla, the highest THC level in imported marijuana is about 1.5 percent. In general, the street value of marijuana increases by the square of the increase in THC level. For example, marijuana containing 6.0 percent THC has a value nearly 16 times the value of marijuana containing 1.5 percent THC.

Marijuana plants harvested on the most productive sites can have a street value of up to $6,000 each.

Often, marijuana growers make substantial investments in an effort to control rodents, fertilize crops, control competitive vegetation, and in many cases sophisticated irrigation systems are installed.

Uncontrolled use of herbicides and pesticides by growers has polluted some streams and groundwater and killed fish and wildlife.

In addition to the direct environmental effects of introducing and growing marijuana, growers frequently resist any intensive forest management practice in their areas of interest. Resistance to the application of herbicides is particularly strong. Just the possibility that marijuana contains herbicide lowers its value.

TESTIMONY OF ZANE SMITH, U.S. FOREST SERVICE

Mr. SMITH. Thank you, Mr. Chairman.

I am Zane Smith. I am regional forester for the Forest Service, Pacific Southwest region, which includes California.

In California, there are about 20 million acres of national forest land, which represent 20 percent of the State. I think it is fair to say that the Forest Service situation is not unlike the BLM. We have perhaps a little more public lands under our jurisdiction that is more favorable for marihuana production. During the last 4 years, there has been a very substantial increase in the growing of marihuana, or cannabis, as it is referred to technically, on the national forests in California. In fact, all 18 national forests have marihuana plantations or have observed marihuana plantations.

Our primary concerns are, as BLM's, for the safety of our people and our visitors and cooperators. We are concerned about the uncontrolled use of pesticides and fertilizers that enter the environment. We are concerned about the adverse impact on our people in getting our job done. And, lastly, the fact is, growing this material is in violation of Federal and State law.

In 1981 and 1982, we estimate that there were several hundred cannabis operations on the national forests in California. Some forests had in excess of 50 operations. So far this year, 1983, our preliminary estimate suggests there are at least 900 sites involving as many as 215,000 plants. That is within California's national forests. We suspect and believe that this is only a portion of what actually exists.

I have a copy of our 1982 marihuana statistical report in the package before you. You might want to browse through that. Our most immediate concern is for the safety of our employees and the visitors and cooperators of the national forests. Some very serious confrontations have occurred. This year——

Mr. RANGEL. Excuse me. What report did you refer to?

Mr. SMITH. Let's see. Jennifer, did those reports—there was a package of material, including my testimony, that should have been at your place.

Mr. RANGEL. OK. Thank you. I am sorry to interrupt.

Mr. SMITH. That is all right.

Let me give you a few examples of the incidents occurring this year on the national forests.

A timber purchaser was run off at gunpoint on the Plumas National Forest and, Mr. Chappie, you are familiar with that. A gun was pulled on one of our people in the San Bernardino National Forest, Mr. Lewis. Fishhooks and punji sticks observed was one of those on the Tahoe.

A district ranger and two wildlife biologists were shot at on the Tahoe, missed, fortunately. Another district ranger was threatened to be shot or burned out.

In all these cases, cannabis plantations were subsequently discovered near the site of the incident. And I might say that in the aggregate, we now believe that we have a half a million acres of national forest land in this State that is virtually unavailable to us to work in. Our people, we are just keeping them out of there until it can be cleaned up.

Mr. RANGEL. Half a million acres what?

Mr. SMITH. A half a million acres in the aggregate that we feel are in the watersheds and other areas unsafe to go into.

Mr. RANGEL. Because of the marihuana growers?

Mr. SMITH. Marihuana growing operations. In other words, we keep our people out of there until such time as law enforcement jurisdictions can, in cooperation with us, remove the threat.

Mr. RANGEL. Say, there is a half million acres that is unsafe for employees and users because of the marihuana growing. OK.

Mr. SMITH. Now, the things I have been describing are but examples of a difficult and dangerous situation which we are faced with in managing forests in California. Other public and private lands are experiencing the same impact as this activity increases.

About 3 years ago, the Forest Service began to make more aggressive, organized action in concert with a variety of State, local, and Federal agencies, and I have a copy of our 1980 direction to our forest supervisors in that package. Just to show you how far back this goes.

I believe this coordinated effort is beginning to have payoffs, despite what we have seen as an increased trend of growing. OK.

Now, some of the things that we are doing in response to, I think some of the implied questions that you have. Working with other jurisdictions now, we are concentrating on, one, safeguarding our personnel through training and orientation; alerting and informing forest visitors about the problem; cooperation with and support of the appropriate law enforcement agencies; participation in the statewide interagency task force [CAMP] that Ed Hastey mentioned to you earlier, whose main purpose is to consolidate and coordinate the available resources to effect a maximum effort.

By the way, all these Forest Service efforts, and I believe the BLM efforts, are in direct support of President Reagan's illegal drug prevention strategies.

Now, the actions taken in California to safeguard our employees, our visitors, include several things. I would like to mention some of these to you.

First, special training for law enforcement personnel.

Mr. RANGEL. What law enforcement personnel?

Mr. SMITH. These will be law enforcement personnel that we have and cooperators that are looking to us for certain kinds of training, say helicopter operations, dealing with operations in wild lands, forested lands, and——

Mr. RANGEL. What law enforcement personnel do you have?

Mr. SMITH. We have 2—I believe it is 28 special agents that have been through complete law enforcement training. These are people who are authorized to carry weapons, highly-trained professionals.

We also have probably well over 100 people that are considered law enforcement personnel, whose part-time duties included law enforcement and who have been through rather extensive training.

Mr. RANGEL. Does BLM have a counterpart to this?

Mr. HASTEY. Yes, we do. We have five special law enforcement agents in the State of California, and we have about 18 what we call law enforcement rangers, who are restricted only to the California desert, which is in the southern part of the State, primarily in Congressman Lewis' district.

Mr. RANGEL. It appears to me that your whole operation now is changing in terms of the skills that are necessary for your employees. I mean, these things that you are showing us on slides of boobytraps and armed people is as though you are dealing with a foreign government. Isn't it safe to say that the job description is different today than it was 10 or 20 years ago?

Mr. SMITH. Well, certainly, Mr. Chairman, it was 20 or 30 years ago; it has evolved into something different.

Mr. RANGEL. Now, is this reflected in your requests for training, funds, and personnel?

Mr. SMITH. Yes. I refer in your package, there is a Pacific Southwest Region Law Enforcement Statistical Report which covers other than marihuana activities in the national forests of California. I think you would be very interested, and this is the 1982 report, it shows you in an urban State such as California where we have 26 million people bumping up against wild and undeveloped land, we have a major problem in just handling the usual kinds of social behavior that exists when large groups of people gather in rather remote, unstructured places.

This report is not something that just happened overnight. This kind of activity has been building as the population has increased and the use of the national forests has increased.

So in the last 5 years to a decade, we have been building up the skills of people to handle this thing; also building up a cooperative partnership, particularly with the local sheriff, in handling the law enforcement activities on the national forests.

Mr. RANGEL. Well, you see, our problem is that when we are dealing with foreign governments as relates to eradication of opium, cocaine, and marihuana products, they tell us that they have personnel problems, they have access problems, the areas are remote, they can't get herbicides in there, and it seems as though we are getting the same type of responses here in California—diversity of jurisdiction, lack of financial resources, and lack of training.

Now, my point, Mr. Smith, was that we in the Congress never expected you people in charge of our forests to have to go in there with guns. Somewhere along the line it seems to me that in your presentation we would like for you to spell out what you think your needs are, and we would like to take it up with the Drug Enforcement Administration, and they, in turn, will take it up with local and State law enforcement people, to make certain that our national responsibility is met.

And, if in these statements you have made your recommendations, then we would like to include it in our report. If there are other recommendations that you would like to make, we will keep the record open so that you can do that.

But we are not here to coordinate the effort; we are here to accept your recommendations and see what can be done.

Mr. SMITH. I appreciate that very much. Let me proceed then to some of the other actions that we are taking.

Orientation of employees and their families toward recognition of marihuana plants is important; providing security and protection measures in some location to our cooperators, our own employees, and to forest visitors; and the implementation of a public informa-

tion action plan. We think it is important that the population of California and the country, for that matter, needs to understand the implications, criminal aspects of this, and the cost to the taxpayer, and we need their support in order to proceed with the actions that we plan.

Mr. RANGEL. I am not following your testimony, because you are teaching people how to recognize the plant and how to detect it and how to report it. I thought in the slide presentation that we found a plane and identified 20 areas where plantations were growing, and the resources indicated you could only deal with two.

So why all the recognition and detection if you can't do anything about it?

Mr. SMITH. Mr. Chairman, you know, this is a program that is just gearing up.

Mr. RANGEL. OK.

Mr. SMITH. We are finding ourselves in the first year doing something that has just blossomed for some international reasons.

Mr. RANGEL. Have you ever used spraying herbicides? You locate 20 plantations and just fly in there and use paraquat or something similar?

Mr. CHAPPIE. Mr. Chairman, can I speak to that?

Mr. RANGEL. I think I am ahead of——

Mr. CHAPPIE. The Forest Service has attempted to spray hardwoods in order to let the conifers grow in some of their reforestation programs. There is concern about young people and the environment, the specter of agent orange, and it is just a tremendous problem to—can't even go in in an effort to maintain some of your national resources, to reproduce our ability to raise timber and all those good things. So, please, let's don't get into that.

Mr. RANGEL. All right.

Mr. Smith.

Mr. SMITH. Thank you, Mr. Chappie, particularly this part of California.

OK. In addition to this general orientation and recognition and reporting it and so forth, employees who must work in these isolated areas are given special instructions about how to act in the field because we don't always know where these plantations are and, as you can see by the slides and the previous testimonies, it is sometimes dangerous because these people are protecting their crops.

What we do is keep our people informed as best we can about where marihuana growing is occurring. Our personnel are instructed to be open and obvious about their field activities, to help establish the legitimate reasons why they are there, and under no circumstances are they to provoke or foster confrontations.

When in doubt or challenged, "get out fast" is our motto.

In connection with our participation in the inter-agency work, which includes various Federal, State, and local authorities, we have earmarked in this region about a third of a million dollars in fiscal year 1983, cooperative law enforcement funds, and we will contribute in excess of 2,000 days law enforcement personnel time toward the effort to eradicate cannabis.

Under the leadership of the local sheriffs, we supply back-up during a variety of on-the-ground activities. We participate regularly in the Inter-Agency Command Center now in Sacramento. In the

case of cannabis grown on the national forests, the principal Federal enforcement agencies are Drug Enforcement Administration, the U.S. Marshal's Service, and the Federal Bureau of Investigation.

The California Bureau of Narcotics Enforcement and the county sheriffs are the lead agencies as far as we are concerned. Specific authority for drug enforcement does not extend to the Forest Service. The Forest Service does, of course, have authority to enforce laws and regulations governing the use of national forest lands, and we do.

Now, we recognize the costs to the States and the counties to protect visitors and their properties on the national forests to be unusually high.

I have a copy of our 1982 statistical report in law enforcement, which I mentioned earlier. That is in our package.

The Cooperative Law Enforcement Act, that is the Public Law September 28, 1982, provides us authority to reimburse local agencies for the costs, including the standard costs related to cannabis eradication.

In fiscal year 1983, about $1 million of cooperative law enforcement funds appropriated nationally will be used specifically in connection with cannabis.

As I previously mentioned, about $330,000 of that is made available to this region for use in California.

We believe the role of the Forest Service is to cooperate with local, State, and Federal agencies to eliminate cannabis growing.

The leadership role continues to be with appropriate local law enforcement agencies, and, in particular, the sheriff. We intend to continue to work aggressively with them as far as our budgets allow; we well reflected in our budget requests, what we believe to be a reasonable, fair share of funding for our cooperative law enforcement appropriation, which, in turn, we then enter into agreements with the various counties for the distribution of those funds.

We have in this region, fiscal 1983, a little over $1 million, a large part of which is being devoted to marihuana. We have 36 cooperative agreements with local sheriffs to handle a variety of law enforcement-type work within the national forests, and then more specifically this large amount, 33 special agreements on marihuana, with local sheriffs.

That concludes my highlighting, Mr. Chairman. I would be happy to answer any questions.

Mr. RANGEL. OK. But I gather from your closing remarks that you want us to believe that, after looking at the entire problem, that you concluded by saying that the leadership roles should be given to the local law enforcement officials, that they should have the training to be able to come in on helicopters, to deal with the forests.

And, as far as the Federal public lands are concerned, crimes being committed on this, in the Federal forestry, that the local law enforcement people should provide the leadership in eliminating this criminal activity?

Mr. SMITH. That is essentially correct, sir.

Now, we have developed over time this partnership. I think it is fair to say we believe very strongly on that cornerstone of federalism that police action is a State and local matter.

We have what we call proprietorial jurisdiction over the national forests. That means we have the right of ownership and we can promulgate our own regulations concerning the use of those lands.

Criminal activities and traditional police activities are still a State and local matter, but to the extent that the national forest programs aggravate that problem and create additional costs, we go back to you, the Congress, for additional moneys to cooperate with these formal agreements.

Mr. RANGEL. Mr. Hastey, could you accept that as it relates——

Mr. HASTEY. That is correct. That is the position of the Bureau of Land Management and the Department.

Mr. LEWIS. Mr. Chairman, if I could add to that.

Mr. Hunter touched on that earlier and raised this question in a whole different way.

Some of the more serious problems we have faced in the country in the last couple of years, such as in the Panorama fires in California, were in developing coordination and cooperation between various levels of government agencies and responsibilities.

It seems to me that our consideration of the volume of public land involved here should perhaps be reviewed once again to see if there aren't other activities and government agencies that should be involved.

For example, there are a large number of training centers in California for the national military defense effort where people are using helicopters and personnel for activities that don't look dissimilar to me from what I saw in the slides. I know it is almost anathema that the military might cooperate with a civilian effort, but I think it is appropriate.

Mr. SMITH. In that respect, Mr. Lewis, you probably are referring to the Firescope program that developed the Incident Command System and the other means to mobilize all interagencies activities into one thrust for disaster control, fires being one.

I think we are on the threshold of technology here, and we are using the fire school model in organizing or orchestrating this intergovernmental interagency activity. The military, for a lot of reasons, has been reluctant to jump right into these civilian matters.

On the other hand, Governor Deukmejian is, I think, working very hard to involve the National Guard in California, and we are optimistic that the National Guard resources, both personnel and equipment, will be made available.

I think that magnitude and resources of system will probably be used.

Mr. LEWIS. The California National Guard Training Center is located at Fort Erwin, north of Barstow. That happens to now be the national training center for the Army.

The relevant proximity of that activity to San Bernardino National Forest, as well as Inyo County, causes me to say we ought to at least look at it.

Mr. RANGEL. If there are no other questions, the committee will take a 10-minute break and then we will call our next panel.

[Recess.]

Mr. RANGEL. We would like to resume our hearing and bring forth the local law enforcement and prosecutors' aspect of their case. So we will have leading off Sheriff Hal Brooks of Butte

County, and he will be accompanied by Miss Anna Sparks, who is the supervisor for the Fifth District of Humboldt County.

The committee welcomes your presence and, if you have a statement—I have one here from the sheriff's department, Mr. Brooks. That full statement will be entered into the record.

Do you have a prepared statement, Ms. Sparks?

Ms. SPARKS. Yes, Mr. Chairman.

Mr. RANGEL. Does the committee have it?

Ms. SPARKS. Yes, Mr. Chairman.

Mr. CUSACK. It is right here.

Mr. RANGEL. Very good. That too will be made a part of the committee's record.

Who would like to proceed?

Mr. BROOKS. Ladies first.

Mr. RANGEL. Ms. Sparks.

TESTIMONY OF ANNA SPARKS, SUPERVISOR, FIFTH DISTRICT, HUMBOLDT COUNTY

Ms. SPARKS. Thank you very much. Thank you, Mr. Chairman, members of the committee.

I appreciate an opportunity to come over here and bring to you some of Humboldt County's problems in the marihuana trafficking industry that we have over there.

I would like to present a short testimony that I have written out and, if time permits, answer any questions and maybe be able to elaborate a little further into some of the problems that we have over there.

I would like to enumerate on several of the major problems concerning the marihuana industry in Humboldt County. The first issue I will address involves the rights, both personal and private, that are being threatened due to the cultivation of marihuana.

Numerous incidents of these rights violations are reported yearly to our sheriff's department during the marihuana-growing and harvesting seasons. Some of these reports are from cattle ranchers whose families' lives have been threatened and their land and property destroyed by marihuana cultivators.

Many of the cultivators have grown their crops on the ranchers' personal land and have ordered the rancher at gunpoint to leave that portion of their property alone.

Numerous anonymous letters and phone calls are received daily by the sheriff's department. Their anonymity, the result of fear of retaliation.

Public property rights are also violated.

Hikers, campers, hunters, and sports fishermen are all endangered when exercising their rights to the woods, mountains, and streams during planting, growing, and harvest seasons.

The brutal deaths that occur in the marihuana cultivation areas are often not discovered until after harvest, and sometimes years later.

Private businesses, such as our timber industry, ranching, utility companies, surveyors, and county agencies have had their rights to conduct their affairs violated in that their employees are in danger when coming in contact with the territory of the growers.

Many of these employees have been fired at, have received damage to their vehicles, and have been personally threatened at gunpoint to abandon the area immediately.

The enormous amount of marihuana in Humboldt County has had a decidedly adverse effect on our school children. Teachers report instances of children from the fourth grade through high school under the influence of marihuana. There have also been reports from parents that the new heroes of the age are the outlaw marihuana growers.

The illegality of the marihuana and the profit associated with it at these age levels cause an appeal.

Young marihuana sellers apply peer pressure to their schoolmates in order to expand their market, which in turn increases the use and sale of marihuana among our youth at an exponential rate. Its use directly and negatively affects their educational and physical abilities to perform.

In almost every arrest of marihuana growers at the sheriff's department, the sheriff's department has found evidence of welfare aid, ranging from food stamps, welfare checks to medical and general relief. In this method the system has been used simultaneously as a legal cover and means of support for marihuana growers, thus robbing the truly indigent.

The aforementioned being some of the problems relate to the marihuana cultivation in Humboldt County. Others are the costs that are directly involved are paid by county residents and draw heavily from funds that could be spent to eliminate crimes in other areas. Tremendous expenditures are involved in the investigation of and the prosecution of marihuana growers.

Superior Court Judge Buffington stated in an interview that judges can "only work within the framework of laws set down by the legislatures," and suggests that concerned Californians should encourage legislators to change State laws to give more judicial clout to the court system.

I suggest we start writing and calling our legislators to put stronger penalties for violent crimes associated with marihuana cultivation.

Also in my county I worked very hard with the timber industries and the surveyors to develop an authorization for entry for consent to search, so any landowners could come in and sign it and our sheriff's department did not have to waste time in going out and getting a search warrant.

The authorization for entry and consent to search:

The undersigned hereby grants to the Humboldt County Sheriff and agents and organizations authorized by him, permission to enter upon any and all lands owned or lawfully controlled by the undersigned for the purpose of locating and seizing contraband, including but not limited to growing marihuana, and any evidence related to offenses involving said contraband.

The undersigned further states that no person has been authorized to enter upon said land for the purpose of cultivating said contraband, and any person so found may be arrested and removed from said land as otherwise provided by law.

The Sheriff or his designees shall make reasonable efforts to notify the undersigned or his designee prior to such entry for coordination purposes, but the failure to do so shall not in any manner be deemed to negate the authorization granted herein.

This authorization is valid through December 31, 1983, unless withdrawn by written notice.

Then the person to be notified, the sheriff's number, the telephone number and the officer. And these have been quite successful in the area when we need to go in immediately because of—we have had a large response from a lot of the ranchers that have had fires set on their properties, had their equipment destroyed, also they are eating their cattle and killing a lot of the animals over there.

Something else that was brought to my attention, when a story on this particular consent form was in the Sacramento Bee, was a letter from a lady called Gladys Benerd from Stockton.

She is a retired college health educator, and I will give you copies of this because she feels in their research that there is a definite link between AIDS and marihuana, and medical scientist at Helsinki Conference had evidence supporting the idea that marihuana lowers the body's resistance to disease, and Dr. Gabriel Nahas, professor of anesthesiology at Columbia University's College of Physicians and Surgeons, found evidence that THC and marihuana weakens the body immune systems by transferring with the production of white blood cells and, after 1 year of hashish smoking, immunity defenses were cut by 60 percent.

So Nahas thinks that pot's effect on the immune system will discourage people from smoking. Otherwise, we are faced with the frightening potential of a major segment of the country's population being rendered highly susceptible to disease.

So I would like to turn in this sheet of paper linking AIDS with the marihuana and the breakdown in the system.

A couple of other things, if you would permit me, Mr. Chairman, to go into:

Our board voted unanimously, because of the type of people that are coming in, we have Hell's Angels, banditos; we have degenerates of the world coming into our area.

You can see them on those big motorcycles going all over our area. We have had more crime rate. It is just—the problems are so horrendous.

We found another body in the Eel River today. When they are not diverting streams, they are looking for wells so they will plug down holes, and if they don't find anything, they will bring in Mexican workers along with some of our young people and anybody else they can pick up, and the bodies will be found later, because they get rid of the cheap labor force. They don't have to pay them.

We have—Mr. Chairman, you mentioned a while ago this sounds like war. It is war. We have the Claymore mines; we have the punji sticks; we have the crossbows; we have the filament line across the trails that have rat traps attached with dynamite or shotgun shells attached to them. That will just, you know, it will destroy anybody walking out there.

I have done television shows, radio shows and everything else, trying to warn people that when they go anywhere near water sources or anything like this, don't let your children wander off; stay on the main trails, and for God's sake, if you run into those people, turn around and walk out. Don't confront them, because more and more people are being shot at and more and more people this year, I am afraid—the rumor is that they are going to shoot

down some of our—one of our airplanes. They are going to kill some of our people in the sheriff's department, but they are going to start setting some examples.

So we have great fear over there that these things might come to pass, especially because of the extreme spread of these people all over. There isn't any place in our county that you can go that—or in the neighboring counties—that does not have marihuana growers, and they are nobody to fool with. They have got dogs; they have got just about everything you can imagine.

One gentleman that I know of on a radio show I was doing, his friend stepped off the road to go to the bathroom and actually hit a trip wire just 6 feet, 7 feet off the road. He had been a Vietnam vet. When he felt that wire hit his feet, he fell to the ground and a crossbow arrow sent right across waist-high and into the tree beside him.

It is that prevalent and that dangerous for people to be out walking around now.

All our rights are gone. The people that have fought so hard to give us wilderness areas, to give us national parks, because in 17 national parks we have pot growing. They are all fighting so hard to give us all this and now the rights have been taken away because of the marihuana cultivations.

It has set—one more thing that has been very detrimental to Humboldt County. It has set a traffic pattern now that cocaine is becoming almost as big a problem in Humboldt as is our marihuana problem.

Mr. RANGEL. We will reserve our questions until we have heard from Sheriff Brooks.

[Mr. Spark's prepared statement follows:]

PREPARED STATEMENT OF ANNA SPARKS, SUPERVISOR, DISTRICT 5, HUMBOLDT COUNTY

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AUTHORIZATION FOR ENTRY
AND
CONSENT TO SEARCH

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This authorization is valid through December 31, 1983 unless withdrawn by written notice.

_____ _____

Date Signature and Title

Person to be notified: _____

_____

Phone number

_____

Officer

TESTIMONY OF HAL BROOKS, SHERIFF, BUTTE COUNTY

Mr. BROOKS. Thank you, Mr. Chairman.

I would like to start my presentation by thanking our California congressman, Gene Chappie, for organizing this and giving us the opportunity to have input to this committee, and I again wish that I had been able to spend a little more time.

I have tried to accumulate as much information for the record as I possibly could to assist you in your endeavors.

For the record, gentlemen, I have submitted 50 sanitized copies or declassified copies of the following reports:

No. 1 is the 1981 Sinsemilla project report for the Butte County Sheriff's Department.

No. 2 is the 1982 Sinsemilla project summary report for the Butte County Sheriff's Department.

No. 3 is the 1983 Sinsemilla project budget proposal. I would caution you on that budget proposal that that was the initial proposal submitted. There have been some other impacts on our county revenues that may change the picture considerably.

No. 4 is the synopsis of narcotics-related incidents and that those are the deaths that are related to drug incidents, including marihuana.

No. 5 is an article on inmate criminal history and drug abuse study from the OJARS magazine. That particular article is identified on the bottom as coming from the Office of Justice Assistance, Research and Statistics. I think it is an appropriate article for your consideration.

Photographic attachments providing visual color demonstrations of air identification of marihuana gardens, plants, and graphic commparison of statewide eradication efforts have been deleted.

Suffice it to say that Butte County was second in the State of California in total seizures in 1981 and 1982.

In 1981, 11,000 plants were confiscated and in 1982, 8,000 plants were confiscated.

The lead page of the 1981 Sinsemilla project discusses that in summary.

During the 1981 Sinsemilla eradication project in Butte County, 87 separate marihuana fields were raided by narcotics officers and assisting personnel. As a result, 11,190 high-grade Sinsemilla marihuana plants were seized and destroyed, as well as a large number of weapons and equipment utilized in cultivating the marihuana. The marihuana plant seizure cost the growers—and there were 79 growers identified in Butte County—an estimated $12 million in lost revenue.

Of the 79 suspects identified as being marihuana growers in Butte County, 20 were found to have previous police—a previous police record of some type, either by arrest or as a suspect.

Fifteen search warrants were served on individual marihuana fields. Twelve suspects were either arrested or were the subject of arrest warrants. The remainder of the marihuana fields were raided by narcotics division personnel using the "hit-and-rip tactic."

Of the 87 marihuana fields raided in Butte County, 7 were confined to greenhouses. Some of the greenhouses were constructed of plastic sheeting and inexpensive to build. Others were very large, utilizing all the modern greenhouse equipment and very expensive. One cost approximately $10,000 to construct.

Butte County cannot boast all the attributes posed in the national anthem, but to the Butte County Americans, it comes extremely close.

Butte County is a county constituting 1,620 square miles and has a population of 151,000 American citizens. The unincorporated area has a population of approximately 80,000 citizens. The terrain runs, not from the sea, but from the flat farmlands to snow-peaked mountains with nearly every type terrain in between.

As the information submitted for the record will indicate, Butte County appears to be an excellent, if not outstanding, area for the cultivation of marihuana. It can and is grown in every area of the county and its cultivation is only limited by the necessity of keeping this illicit crop from being discovered by the trained eyes of law enforcement personnel or being stolen by others who are involved in the illicit trafficking or the use of marihuana of other drugs.

You will note that there was a decrease in the activity and production of the marihuana eradication project in 1982. It is interesting to note that the Butte County Sheriff's Department budget for the 1981–82 fiscal year was $5.9 million.

There were 137 authorized personnel positions, of which 76 were sworn peace officers. In the 1982–83 fiscal year, the total budget was reduced to $5.5 million, 115 personnel positions, of which 54 were sworn officers, for a total reduction of 22 personnel positions.

All 22 personnel positions reduced were sworn peace officers.

The 1983–84 requested budget was $6.4 million, which was initially proposed at $6.2 million and later reduced to $5.9 million, and a total of 115 personnel positions. Because of State revenue reductions to the counties in California, the initial $2 million deficit in the county budget has now been projected at $4.7 million.

Negotiations for the 1983–84 budget are continuing. However, because of State and Federal subvention to the county revenues, the discretionary funds controlled by the local board of supervisors are limited to law enforcement, fire protection, libraries, and to some degree public works.

Should further prioritization of law enforcement services be unavoidable, I would be unable to justify Sinsemilla eradication over services involving immediate danger to life and property. No one in their right mind fails to recognize that to reduce law enforcement capability to this level would completely neutralize its purpose and provide an environment at which crime could grow and flourish.

I sincerely believe that there is a parallel between the fluctuating resources of Butte County law enforcement and fluctuating Butte County crime statistics that have not been explained but are directly related to diminishing resources in law enforcement, and will ultimately have severe impacts upon our society.

As the information provided for the record will indicate, the previous administration's approach to the eradication program did not emphasize arrest and prosecution. Under my direction that policy

has changed and vigorous investigation, arrest, and prosecution will be effected whenever possible.

It is my position that confiscation alone is a band-aid approach and ultimately contributes to a much larger problem of unbridled competition, theft, and in some cases all-out war between growers, abusers, and traffickers of marihuana and other drugs.

I estimate that there are between six and eight unknown—I am sorry—between six and eight known unsolved marihuana-related murders in Butte County at this time. The declassification intelligence information submitted for the record delineates some of this information, which is corroborated by other classified intelligence information which could not be submitted for the record.

The information also shows the interrelation between marihuana trafficking, abuse, and cultivation, and other drugs such as heroin, cocaine, hallucinogenics, hypnotics, and other drugs.

I think it is appropriate to summarize some of the dangers associated with the cultivation of marihuana in Butte County: First, threats to shoot and shots fired at low-flying aircraft; second, removing rattles from rattlesnakes and placing the snakes in the marihuana patches to protect the fields; third, prepare to set and set fires within National Forest Service lands; fourth telephone threats against officers participating in raids; fifth, confiscation of camouflaged clothing, assault-type shotguns, rifles, ammunition and military-type pistols; sixth, punji pits around the perimeter of the marihuana fruit; and seventh, U.S. Forest Service truck window shot out while occupied, and I might comment that in the information presented, it indicates that the strike force was using vehicles similar in color to those of Forest Service and whether they were shooting at Forest Service or at our marihuana or our narcotics officers is unclear. But it really doesn't matter, does it?

I also am concerned about a four-wheel-drive pickup that was destroyed by arsonists after a raid. I am concerned about 44 tires on 11 separate vehicles that were slashed in the Butte County Sheriff's Department parking lot after a raid.

I am concerned about firefighters encountering shotgun shells, boobytraps head high, and with monofilament trip lines to trip these devices.

The list goes on and on. It can be anticipated that this activity will continue and escalate, and, if there is any doubt about the intent, all one has to do is take note of the confiscated weapons which consist of AR-15 and M-1 carbine rifles, Ouzi 9 mm automatic weapons, pointed throwing stars and shotgun boobytraps with monofilament trip lines.

Gentlemen, the material submitted for the record speaks for itself and I feel it would be inappropriate to take up your time and the time of others who may want to present their summaries to you too.

Thank you very much for this opportunity and for your courtesy and attention.

[Mr. Brooks' prepared statement follows:]

HAL T. BROOKS, BUTTE COUNTY SHERIFF, PRESENTATION
BEFORE THE
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL
REDDING HEARING - JULY 22/23, 1983

FOR THE RECORD, GENTLEMEN, I HAVE SUBMITTED FIFTY SANITIZED COPIES OR DECLASSIFIED COPIES OF THE FOLLOWING REPORTS:

1. 1981 SINSEMILLA PROJECT REPORT
2. 1982 SINSEMILLA PROJECT SUMMARY REPORT
3. 1983 SINSEMILLA PROJECT BUDGET PROPOSAL
4. SYNOPSIS OF NARCOTICS RELATED INCIDENTS (DEATHS)
5. INMATE CRIMINAL HISTORY AND DRUG ABUSE STUDY - CJARS

PHOTOGRAPHIC ATTACHMENTS PROVIDING VISUAL COLOR DEMONSTRATION OF AIR IDENTIFICATION OF MARIJUANA GARDENS, PLANTS AND GRAPHIC COMPARISON OF STATE WIDE ERADICATION EFFORTS HAVE BEEN DELETED. SUFFICE IT TO SAY THAT BUTTE COUNTY WAS SECOND IN THE STATE OF CALIFORNIA IN TOTAL SEIZURES IN 1981 and 1982. IN 1981, 11,000 PLANTS WERE CONFISCATED AND IN 1982, 8000 PLANTS WERE CONFISCATED.

BUTTE COUNTY CANNOT BOAST ALL THE ATTRIBUTES POSED IN THE NATIONAL ANTHEM BUT TO BUTTE COUNTY AMERICANS, IT COMES EXTREMELY CLOSE. BUTTE COUNTY IS A COUNTY CONSTITUTING 1,620 SQUARE MILES AND HAS A POPULATION OF 151,000 AMERICAN CITIZENS. THE UNINCORPORATED AREA HAS A POPULATION OF APPROXIMELY 80,000 CITIZENS. THE TERRAIN RUNS, NOT FROM THE SEA, BUT FROM THE FLAT FARMLANDS TO SNOW PEAKED MOUNTAINS WITH NEARLY EVERY TYPE TERRAIN IN BETWEEN.

AS THE INFORMATION SUBMITTED FOR THE RECORD WILL INDICATE, BUTTE COUNTY APPEARS TO BE AN EXCELLENT IF NOT OUTSTANDING AREA FOR THE CULTIVATION OF MARIJUANA. IT CAN, AND IS, GROWN IN EVERY AREA OF THE COUNTY AND ITS CULTIVATION IS ONLY LIMTED BY THE NECESSITY OF KEEPING THIS ILLICIT CROP FROM BEING DISCOVERED BY THE TRAINED EYES OF LAW ENFORCEMENT PERSONNEL OR BEING STOLEN BY OTHERS INVOLVED IN THE ILLICIT TRAFFICKING OR USE OF MARIJUANA AND OTHER DRUGS.

YOU WILL NOTE THAT THERE WAS A DECREASE IN THE ACTIVITY AND PRODUCTION OF THE MARIJUANA ERADICATION PROJECT IN 1982. IT IS INTERESTING TO NOTE THAT THE BUTTE COUNTY SHERIFF'S DEPARTMENT BUDGET FOR THE 81/82 FISCAL YEAR WAS 5.9 MILLION DOLLARS, THERE WERE 137 AUTHORIZED PERSONNEL POSITIONS OF WHICH 76 WERE SWORN PEACE OFFICERS. IN THE 1982/83 FISCAL YEAR THE TOTAL BUDGET WAS REDUCED TO 5.5 MILLION DOLLARS, 115 PERSONNEL POSITIONS OF WHICH 54 WERE SWORN OFFICERS FOR

A TOTAL REDUCTION OF 22 PERSONNEL POSITIONS. ALL 22 PERSONNEL POSITIONS REDUCED WERE SWORN PEACE OFFICERS. THE 1983/84 REQUESTED BUDGET WAS 6.4 MILLION DOLLARS WHICH WAS INITIALLY PROPOSED AT 6.2 MILLION DOLLARS AND LATER REDUCED TO 5.9 MILLION DOLLARS AND A TOTAL OF 115 PERSONNEL POSITIONS. BECAUSE OF STATE REVENUE REDUCTIONS TO THE COUNTIES IN CALIFORNIA THE INITIAL 2 MILLION DOLLAR DEFICIT IN THE COUNTY BUDGET HAS NOW BEEN PROJECTED AT 5 MILLION. NEGOTIATIONS FOR THE 1983/84 BUDGET ARE CONTINUING. HOWEVER, BECAUSE OF STATE AND FEDERAL SUBVENTION TO THE COUNTIES REVENUES THE DISCRETIONARY FUNDS CONTROLLED BY THE LOCAL BOARD OF SUPERVISORS ARE LIMITED TO LAW ENFORCEMENT, FIRE PROTECTION, LIBRARIES AND TO SOME DEGREE PUBLIC WORKS.

SHOULD FURTHER PRIORITIZATION OF LAW ENFORCEMENT SERVICES BE UNAVOIDABLE, I WOULD BE UNABLE TO JUSTIFY SINSEMILLA ERADICATION OVER SERVICES INVOLVING IMMEDIATE DANGER TO LIFE AND PROPERTY. NO ONE IN THEIR RIGHT MIND FAILS TO RECOGNIZE THAT TO REDUCE LAW ENFORCEMENT CAPABILITY TO THIS LEVEL WOULD COMPLETELY NEUTRALIZE ITS PURPOSE AND PROVIDE AN ENVIRONMENT IN WHICH CRIME COULD GROW AND FLOURISH. I SINCERELY BELIEVE THAT THERE IS A PARALLEL BETWEEN THE FLUCTUATING RESOURCES OF BUTTE COUNTY LAW ENFORCEMENT AND FLUCTUATING BUTTE COUNTY CRIME STATISTICS, THAT HAVE NOT BEEN EXPLAINED, BUT ARE DIRECTLY RELATED TO DIMINISHING RESOURCES IN LAW ENFORCEMENT AND WILL ULTIMATELY HAVE SEVERE IMPACTS UPON OUR SOCIETY.

AS THE INFORMATION PROVIDED FOR THE RECORD WILL INDICATE THE PREVIOUS ADMINISTRATION'S APPROACH TO THE ERADICATION PROGRAM DID NOT EMPHASIS ARREST AND PROSECUTION. UNDER MY DIRECTION THAT POLICY HAS CHANGED AND VIGOROUS INVESTIGATION, ARREST, AND PROSECUTION WILL BE EFFECTED WHENEVER POSSIBLE. IT IS MY POSITION THAT CONFISCATION ALONE IS A BAND-AID APPROACH AND ULTIMATELY CONTRIBUTES TO A MUCH LARGER PROBLEM OF UNBRIDLED COMPETITION, THEFT AND IN SOME CASES ALL OUT WAR BETWEEN GROWERS, ABUSERS AND TRAFFICKERS OF MARIJUANA AND OTHER DRUGS. I ESTIMATE THERE ARE BETWEEN SIX AND EIGHT KNOWN UNSOLVED MARIJUANA RELATED MURDERS IN BUTTE COUNTY AT THIS TIME. THE DECLASSIFIED INTELLIGENCE INFORMATION SUBMITTED FOR THE RECORD DELINEATES SOME OF THIS INFORMATION WHICH IS CORROBORATED BY OTHER CLASSIFIED INTELLIGENCE INFORMATION WHICH COULD NOT BE SUBMITTED FOR THE RECORD. THIS INFORMATION ALSO SHOWS THE INTERRELATION BETWEEN MARIJUANA TRAFFICKING, ABUSE AND CULTIVATION AND OTHER DRUGS SUCH AS HEROIN, COCAINE, HALLUCINAGENICS,

HYPNOTICS AND OTHER ILLEGAL DRUGS.

I THINK IT IS APPROPRIATE TO SUMMARIZE SOME OF THE DANGERS ASSOCIATED WITH THE CULTIVATION OF MARIJUANA IN BUTTE COUNTY:

1. THREATS TO SHOOT AND SHOTS FIRED AT LOW FLYING AIRCRAFT.

2. REMOVE RATTLES FROM RATTLESNAKES AND PLACE THE SNAKES IN THE MARIJUANA PATCHES.

3. PREPARE TO SET AND SET FIRES WITHIN NATIONAL FOREST SERVICE LANDS.

4. TELEPHONE THREATS AGAINST OFFICERS PARTICIPATING IN RAIDS.

5. CONFISCATION OF CAMOUFLAGED CLOTHING, ASSAULT TYPE SHOTGUNS, RIFLES, AMMUNITION, AND MILITARY TYPE PISTOLS.

6. PUNJI PITS AROUND THE PERIMETER OF THE MARIJUANA FIELD.

7. U. S. FOREST SERVICE TRUCK WINDOW SHOT OUT WHILE OCCUPIED.

8. BUTTE COUNTY SHERIFF'S FOUR WHEEL DIRVE PICKUP DESTROYED BY ARSONISTS.

9. FORTY-FOUR TIRES ON ELEVEN SEPARATE VEHICLES SLASHED IN BUTTE COUNTY SHERIFF'S DEPARTMENT PARKING LOT.

10. FIRE FIGHTERS ENCOUNTERED SHOTGUN SHELL BOOBY TRAPS HID HIGH WITH MONOFILAMENT TRIP LINE AS TRIGGER.

THE LIST OF COURSE CAN GO ON AND ON. IT CAN BE ANTICIPATED THAT THIS ACTIVITY WILL CONTINUE AND ESCALATE AND IF THERE IS ANY DOUBT ABOUT THE INTENT ALL ONE HAS TO DO IS TAKE NOTE OF THE CONFISCATED WEAPONS WHICH CONSIST OF AR-15 AND M1 CARBINE RIFLES, OUZI 9MM AUTOMATIC WEAPONS, POINTED THROWING STARS AND SHOTGUN BOOBY TRAPS WITH MONO-FILAMENT TRIP LINES.

GENTLEMEN, THE MATERIAL SUBMITTED FOR THE RECORD SPEAKS FOR ITSELF AND I FEEL IT WOULD BE INAPPROPRIATE TO TAKE UP YOUR TIME OR THE TIME OF OTHERS WHO MAY WANT TO PRESENT THEIR SUMMARIES TO YOU. THANK YOU VERY MUCH FOR THIS OPPORTUNITY AND FOR YOUR COURTESY AND ATTENTION.

BUTTE COUNTY SHERIFF'S DEPARTMENT

1981 SINSEMILLA PROJECT

During the 1981 Sinsemilla Eradication Project in Butte County, eighty-seven (87) separate marijuana fields or gardens were raided by narcotic officers and assisting personnel. As a result, 11,190 high grade sinsemilla marijuana plants were seized and destroyed, as well as a large number of weapons and equipment utilized in cultivating the marijuana. The marijuana plant seizures cost the growers (79 identified) in Butte County an estimated $12 Million in lost revenue.

Of the seventy-nine (79) suspects identified as being marijuana growers in Butte County, twenty (20) were found to have a previous police record of some type, either by arrest or as a suspect.

Fifteen (15) search warrants were served on individual marijuana fields. Twelve (12) suspects were either arrested or were the subject of arrest warrants. The remainder of the marijuana fields were raided by narcotics division personnel using the "hit & rip" tactic.

Of the eighty-seven (87) marijuana fields raided in Butte County, seven (7) were confined to greenhouses. Some of the greenhouses were constructed of plastic sheeting and inexpensive to build. Others were very large, utilizing all the modern greenhouse equipment and very expensive, as much as $10,000, to construct.

CONFIDENTIAL

INTELLIGENCE GATHERING

During the 1981 sinsemilla operation, intelligence was collected and filed with particular attention to two groups, one calling themselves the "Berry Creek Marijuana Growers Association", and the other calling themselves "Survivalists". It should be noted that intelligence gathering was not accomplished by assigning an officer to seek out information, but rather by documenting information received from concerned citizens, by telephone, and from law enforcement personnel. Around the latter part of March, 1981, the Narcotics Office began receiving information that persons were in the process of starting to grow marijuana. The information was documented and filed for use at a later date.

ENFORCEMENT STRATEGY

March is usually the beginning of the marijuana growing season. If a cultivating operation were to be raided at this time, officers would find plants about 1" or 2" high. The plants are usually started in small cups or seed beds in or near the residence of the grower due to the weather and the amount of care needed to give the plants a healthy start. After the last frost, the plants are transplanted into their permanent growing location and are usually about 12" to 18" tall. Around the latter part of June or the first part of July, the plants, if properly cared for, are normally about 3' to 4' tall. It is at this time that the Narcotics Division began to raid the suspected marijuana fields.

This particular time of the year was selected for three specific reasons: (1) the plants are usually tall enough to be spotted from an airplane at 1,000 feet and photographed for documentation and evidence, (2) the grower usually has about 3 to 4 months work and effort into his planting, making a replanting effort after a seizure dramatically less profitable, and (3) in the month of July, the male and female marijuana plants begin to flower, making it a critical time to select out and dispose of the male marijuana plants, leaving only the females which then develop into a highly potent

sinsemilla variety. Seizure of the plants after the first part of July constitutes a total loss to the grower as he cannot replant a marijuana field and attain the desired growth and type of plant necessary to realize a high monetary return. Under normal conditions, plants are about 12' to 15' high by mid-September and must be harvested before the first cold spell. If a marijuana field is replanted in July or August, the plants will only reach a height of 3' to 4' and have far less value.

In the first week of July, 1981, the Narcotics Division, armed with search warrants, raided two separate, large, commercial-type marijuana fields. Well over a thousand plants ere confiscated during the raids, which in turn generated the publicity and grower retaliation that was to continue for the next four months.

RETALIATION

During the month of August, 1981, information was received from three separate sources that the "Berry Creek Marijuana Growers Association" was holding meetings to discuss actions to be taken against law enforcement authorities. Information obtained from these sources further indicated that the Growers Association planned to shoot at low flying aircraft, shoot at anyone coming near their marijuana fields, cut rattles off of rattlesnakes and place the snakes in the marijuana patch, and set fires within National Forest Service lands. During the months of August and September, the dispatcher, investigation secretary, and the general information secretary received numerous anonymous calls threatening to not only shoot down low flying aircraft, but to shoot narcotics officers as well. In addition, flyers were being passed around in the Berry Creek area denouncing the Butte County Sheriff's Office (BCSO), Narcotics Division officers as Gestapo Officers. An investigation conducted by the Narcotics Division produced a copy of the flyer (see page). Further information revealed that 500 of these flyers had been produced and that the person responsible was reportedly a member of the "Berry Creek Marijuana Growers Association".

Another group that surfaced during the summer months were people also located in the Berry Creek area calling themselves "Survivalists". According to information received, the group consisted of about 10 people who kept themselves separate from members of the "Berry Creek Marijuana Growers Association". Further information disclosed that members of the "Survivalist" group were well armed with military-type assault rifles and shotguns, and often dressed in camouflaged clothing.

On one particular seizure, a 340 plant marijuana field was raided by narcotics officers in the early morning hours armed with a search warrant. Because prior information had been received that the suspect(s) were reportedly well armed and would possibly shoot at law enforcement officers, the BCSO Special Incident Response Team (SIRT), was utilized to secure and neutralize the area and suspect(s) present.

After the area was secured by the SIRT, narcotics officers then arrived on the scene to interview the two suspects present as well as seize the contraband. Both suspects, dressed in camouflaged clothing, stated that they were "Survivalists". One suspect said, "If we knew you were coming, you would've had a fight on your hands." In addition, a search of the area turned up numerous assault-type shotguns, rifles, ammunition, and military-type pistols. Also found were punji pits around the perimeter of the marijuana field. (Punji pits are large trenches or holes in the ground with pointed sticks placed in the bottom. The top of the pit is then camouflaged, causing an unsuspecting person to fall into the pit and suffer stab wounds).

Several overt retaliatory acts occured during this 3 month period. On August 4, 1981, a representative of the U.S. Forest Service in Oroville reported someone had shot out the passenger window of an occupied National Forest Service truck. Their information was that the shooting was in retaliation for the recent raids on marijuana fields. Apparently, the narcotics officers had used a light green pickup truck which is the same color used by the Forest Service.

Around the 20th of August, 1981, a brand new 4-wheel drive Datsun pickup, recently purchased by the BCSO for patrol in the mountain areas, was destroyed by an arsonist. While the vehicle was parked at a repair whop, someone threw gasoline into the cab and set it afire, causing a loss of about $10,000 to the county. A short time later, information developed by narcotics officers revealed that the suspect responsible was a marijuana grower who lost his entire crop to a Narcotics Office seizure.

Another overt act of malicious vandalism occurred on November 9th, 1981, when 44 tires on 11 separate vehicles were slashed in the parking lot of the Butte County Sheriff's Office. Total loss was estimated to be $3,420. Two days after the incident, an anonymous male caller telephoned the BCSO and said that the tires were slashed in retaliation for the Narcotics Office seizing his marijuana field.

Around the middle of September, 1981, a local TV news station contacted the Narcotics Office and requested an interview. Apparently their TV tower had become the target of vandalism by suspected marijuana growers. In order to stop the vandals from shooting at the tower, the news station offered to give the marijuana growers equal air time on TV with the Narcotics Office on a half-hour TV program. A short time later, the half-hour TV program was aired locally with numerous growers being interviewed (with their backs facing the camera) as to their criticisms of the BCSO narcotics officers' conduct on marijuana raids. In turn, the Narcotics Division was given equal time to respond to grower criticism. After the program was aired, vandalism at the TV tower ceased.

The most violent act by suspected marijuana growers during the 1981 season occurred during early July when narcotic officers flying in surveillance aircraft were shot at on two separate occasions with high-powered rifles. Information, obtained two days later from two different sources, confirmed this as fact. Even though the exact location of the marijuana field was not located, narcotic officers were able to identify a suspect who had a past history of violent acts against police officers. In his possession

was a military-type rifle (9mm Ouzi) which had been recently purchased at a local gun store.

A second shooting incident occurred in mid-August, 1981, when narcotic officers in an airplane were shot at by unknown suspects during a raid. As the ground crew members of the narcotic team were attempting to secure the area around a marijuana field under the control of several "Survivalists", they heard at least five separate shots being fired at the aircraft overhead. However, due to heavy underbrush in the area, the suspect(s) could not be located.

OPERATIONS - "HIT & RIP" TACTICS

The 1981 Sinsemilla Operation in Butte County received much publicity with respect to the so called "hit and rip" tactics employed by the Narcotics Division. Critics contended that narcotic officers raided marijuana fields without search warrants, thereby making the search and seizure of the marijuana illegal.

In response to this criticism, both the California State Attorney General's Office and the Butte County District Attorney's Office were consulted for legal opinions. This was done in July, August, and September in the event that a change in the law took place during the summer months. At no time during the Sinsemilla Operation was the BCSO advised by either of these offices that the "hit and rip" tactics used by the Narcotics Division were illegal. The specific "hit and rip" tactic employed depended upon the location of the marijuana field and the number of plants involved.

If a marijuana patch was found to be located near a house (through aerial observation and/or citizen informants) and the number of plants growing was small, narcotics officers would simply advise the occupants that they were narcotics officers and aware of the plants growing on the property. The officers would then request permission to enter the property and seize the contraband. At no time during the Sinsemilla Operation were narcotics officers denied permission by the occupants to enter their property to seize the marijuana. It should also be noted that on this

particular type of seizure, nothing other than the contraband was seized. In addition, the occupants received a verbal warning and an explanation of the law pertaining to the cultivation of marijuana in lieu of arrest. If the narcotics officers had been refused admittance, they would have left the area and returned with a search warrant or not returned at all.

The "hit & rip" tactic criticized most by the growers occurred when narcotics officers entered property without permission or a search warrant and seized the contraband as well as items specifically used in the cultivation of marijuana. This type of "hit and rip" tactic normally occurred when the narcotics officers were in the general area serving a search warrant on another cultivation site nearby. One officer would be a passenger in an airplane or a helicpter flying overhead while the ground crew, consisting of narcotics officers, would serve the search warrant on the marijuana field. Aircraft were used primarily to direct the ground crews to the site of the marijuana and also to provide security for the ground crew in the event of hostility.

While in the aircraft, it was not uncommon to observe one or more additional marijuana fields near the area where the search warrant was being served. If this were the case, the ground crews would be directed, via radio communication, to the location of the newly observed marijuana fields. The officer in charge of the ground crew would attempt to locate the occupants of the property. If the occupants of the property were located, the ground crew members would identify themselves and explain the reason for their presence. The ground crew officer in charge would explain to the occupants that a narcotic officer was currently overhead in an aircraft and that the marijuana field under his observation constituted a felony being committed in his presence or plain view (the cultivation of marijuana).

The ground crew members would then seize the marijuana being cultivated as well as property used to cultivate marijuana. The officer in charge of the ground crew

would make a determination to arrest the subjects present, give a verbal warning in lieu of arrest, or advise the occupant(s) that a complaint would be filed at a later date with the District Attorney's Office. At no time were the occupant's residence or vehicles entered or searched in this particular circumstance.

The final "hit & rip" tactic is the same as the one just described except that none of the persons responsible for the marijuana field under observation from the aircraft were present. The majority of marijuana fields raided by the narcotics officers were either unoccupied or, on many occasions, the occupants could be seen attempting escape through the underbrush. Under these conditions, the aircraft would continue to circle the marijuana field until the ground crew members could safely exit with the seized contraband. For obvious officer safety reasons, no attempt was made to chase the fleeing growers through the heavy underbrush. Attempts would be made, through papers and personal belongings in or near the marijuana field, to identify the suspected grower(s). Residences and locked vehicles present on the property were not entered or searched. The only items seized as evidence included the marijuana and property used in cultivation. However, if no one was present during the raid, the officer in charge could elect to secure and seize additional property left in the open that may be of value, e.g., wheelbarrows, rototillers, guns, which would then be transported to the BCSO and placed into safekeeping storage, rather than as evidence. It was made public several times that those persons wishing to retrieve confiscated personal property could contact the BCSO Narcotics Division and the property being stored for safekeeping would be returned upon demand.

Another "hit & rip" tactic employed by narcotics officers occurred when the marijuana field was found to be located on public land. In this case, the plants and property were simply seized. An attempt was made to identify the suspected growers through personal belongings left near the cultivation. The property seized in this case

would be logged as evidence and disposed of at a later date by the Records & Identification Bureau, BCSO.

The last type of raid occurred when the officer in charge of the ground crew would have a search warrant in hand authorizing the search of the suspect property as well as structures and vehicles located on the property. In this instance, the officer in charge of the ground crew would make the determination to arrest, verbally warn in lieu of arrest, or to file a complaint with the District Attorney's Office at a later date. The marijuana field in this particular instance would have been visually observed at an earlier date from an aircraft flying at an altitude of at least 1,000 feet above ground level, without the aid of an optical device. However, during the service of the search warrant, the aircraft (fixed-wing or helicopter) would be flown at a much lower level with the primary purpose to provide security for ground crew personnel.

STREET VALUE OF MARIJUANA

During the cultivation season there was much publicity and grower criticism that narcotics officers were inflating the value of a marijuana plant, estimated by BCSO to be about $1,000. In response to that criticism, the $1,000 per plant estimate by narcotics officers was actually much less than the price growers themselves said they were getting for their product. On several occasions, growers told narcotics officers that they had been receiving anywhere from $1,600-$2,200 per pound for high quality sinsemilla. An ounce was selling for $100-$200.

During the latter part of August, 1981, agents from the State Bureau of Narcotic Enforcement took a fully grown 12' tall marijuana plant which had been seized from an illicit marijuana field, and stripped it of its leaves and flowering buds. The leaves and buds were then dried and weighed to determine the quantity of saleable marijuana yielded by a mature plant. The resulting weight totalled about 4¼ pounds. On this basis, a 12' tall, mature, well-cared-for marijuana plant would have a value of approximately $6,500 at the wholesale price of $1,600 per pound.

However, before a grower can realize the profits described above, many variables must be taken into account. This is true in any type of farming. The grower must be able to grow his plant to a height of 12' to 15'. The plant must be well cared for and pruned properly. The male marijuana plants must have been properly removed from the field in July to produce the desired sinsemilla variety, and the grower must have a market for his crop, which is dependent upon supply and demand. The grower who is getting high returns on his marijuana also is spending a great deal of time and money tending the plants. Expenses include such things as property payments, fertilizer, plastic piping, a water supply, greenhouse, etc.

In conclusion, even from a legitimate farming perspective, the Narcotics Divsion feels that placing the value of a marijuana plant at $1,000 is not unrealistic.

WEAPONS AND PROPERTY SEIZURES

During the 1981 Sinsemilla Operation, numerous weapons were seized and placed into evidence or safekeeping, depending on the circumstances. Weapons seized by narcotics officers represent a small fraction of those weapons actually in control of the grower. On many occasions, narcotics officers would encounter several handguns, rifles, and shotguns in control of the grower, but would have no authority to seize those items. However, the weapons would be unloaded and checked via teletype to determine if they were stolen. Unusual weapons, such as tiger knives or pointed throwing stars were seized. Also seized were numerous pieces of property used in the cultivation of marijuana, which were also listed as evidence or safekeeping. In addition to the seizure of weapons and gardening equipment were unusual items such as walkie-talkies, electronic listening devices, and intrusion alarm systems employed by the grower to warn of unauthorized presence in the area. Federal DEA also seized various items of evidence falling under Federal statutes including a 33' Prowler Camp Trailer, vehicles, and other items such as generators, battery chargers, etc.

OPERATIONAL COSTS

Aircraft Usage

The 1981 Sinsemilla Operation required extensive use of aircraft (both fixed-wing and helicopter). The aircraft used were owned and operated by various law enforcement agencies or were private aircraft. A breakdown consisting of cost (if any to Butte County), flight time, number of flights and usage from the individual agencies follows:

A. Fixed-Wing Aircraft	Hours	Cost
1. State Narcotics (BNE)	1.5	None
2. Federal Narcotics (DEA)	31.0	None
3. Private (@ $60 per hour)	37.2	$2,220
Total	68.3	$2,220

Total Fixed-Wing Flights = 42

B. Helicopter	Hours	Cost
1. California Highway Patrol (CHP)	1.0	None
2. Private (@ $110 per hour)	25.0	$2,750
Total	26.0	$2,750

Total helicopter flights = 7

Personnel

During the 1981 Sinsemilla Operation, which included the months of July, August, and September, the Narcotics Unit was increased by two additional deputies. Narcotics Division personnel during this time period consisted of one lieutenant, one sergeant, and two deputies. Operational costs for personnel were:

A. Lieutenant ($1,102 bi-weekly)

1. $6,612 for 3 months

B. Sergeant ($975 bi-weekly)

1. $5,850 for 3 months

C. Deputy ($862 bi-weekly)

1. $5,172 for 3 months

2. $10,344 for two deputies for 3 months each

Total cost = $22,806 for 3 months, not including benefits

In addition, extra patrol teams were utilized by the Narcotics Division on 8 separate occasions to assist during the raids. The patrol teams consisted of one sergeant and five deputies. Using the same rate of pay previously mentioned the operational costs of the extra patrol teams were:

A. Sergeant ($975 bi-weekly)

1. $780.00 for eight (8) days

B. Deputy ($862 bi-weekly)

1. $690 for eight (8) days

2. $3,450 for five deputies for eight days

Total cost = $4,230 for eight days , not including benefits.

Also utilized during the Sinsemilla Operation, was the Special Incident Reponse Team (SIRT). The SIRT was used on two separate days to secure a potentially hostile area prior to serving a search warrant. On both occasions, the SIRT consisted of one sergeant and six deputies. Using the same rate of pay previously discussed, operational costs for the SIRT were:

A. Sergeant ($975 bi-weekly)

1. $195 for two days

B. Deputy ($862 bi-weekly)

1. $172 for two days

2. $1,034 for six deputies for two days

Total Cost = $1,229 for two days in which a SIRT was utilized, not including benefits or over-time pay.

Total personnel costs are summaryed below, not including over-time or benefits, for a three month period:

A. Lieutenant	$6,612
B. Sergeants	$8,825
C. Deputies	$14,828
Total Cost =	$23,265

Total man hours = 2,216 man hours, not including assistance from the State and Federal Narcotic Officers.

Submitted By:

Lt. Ron Chaplin

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1982 SINSEMILLA PROJECT SUMMARY REPORT

BUTTE COUNTY SHERIFF'S OFFICE

From July 1st, 1982 to October 15th, 1982, Butte County Narcotic Officers raided sixty-four (64) separate marijuana gardens seized approximately 8,000 marijuana plants worth an estimated $8,000,000.00. Of the sixty-four (64) gardens raided in Butte County, sixteen (16) were found to be planted on or next to Public Lands administered by Plumas National Forest, Lassen National Forest, or Bureau of Land Management. Refer to attachments showing the land regulated by the U.S.F.S. and B.L.M. in Butte County, which comprises approximately 1/3 of the total county.

Of the sixty-four (64) gardens raided nineteen (19) were raided behind search warrants obtained from the Butte County courts, the sixteen (16) gardens raided on Public Lands required no search warrants while the remaining twenty-nine (29) gardens were raided utilizing one or more of the "Hit & Rip" methods discussed in the 1981 Sinsemilla Project Summary. Also included in the sixty-four total gardens were six (6) greenhouse operations, all of which appeared to have been specifically built to grow marijuana.

A further breakdown of gardens raided and plant total seizure plus seizures taking place on Public Lands the 1982 Sinsemilla Project is as follows:

MONTH	GARDENS RAIDED	PUBLIC LANDS	PLANT SEIZURE
July	6	1	659
August	21	4	4,350
September	32	11	2,498
October	6	0	349

AIRCRAFT

As in the past year, this office relied heavily on aircraft, both fixed-wing and helicopter, for the detection and location of marijuana gardens as well as support during the actual raids. This writer would like to comment at this time, that without the use of fixed-wing aircraft, plant seizure and garden detection would be greatly reduced to nothing more than a few isolated raids a year. Not only does the aircraft pinpoint the location of the marijuana garden, but is also used in the photographing of the marijuana garden to assist the supervising agent in compiling information for a search warrant. It is also important to note that when viewing the marijuana garden from the air it allows the Officer in the aircraft to view the surrounding terrain so that a safe and accident free raid can be mounted against the marijuana gardens and the suspected growers who may be present and armed.

As equally important to the Sinsemilla Project this year was the use of helicopters either rented from private firms or use of the C.H.P. helicopter. This office attempted to utilize helicopter support on all raids where prior intelligence information collected indicated the suspected growers were armed and dangerous.

Because of this, helicopter support during large scale raids are becoming more of a necessity than a luxury.

On one particular raid day in August, this office utilized C.H.P. helicopter support for about six (6) hours of flying time to assist in the service of eleven (11) separate search warrants throughout Butte County conducted by two (2) separate raid teams. The helicopter served not only as a deterrent against possible violence but was also invaluable as a mobile airborne command post. It is also equally important to the raid team members to know that in the event a serious injury should occur, the helicopter can safely and quickly airlift the injured person to a hospital. The dangers encountered while raiding a marijuana garden are numerous and could involve not only a possible shooting victim, but raid teams are susceptible to rattlesnake bites, booby traps and injury to themselves in cutting down the marijuana with chainsaws and machetes, etc.

This office has additionally utilized helicopter support in airlifting marijuana plants out of remote isolated sections of land as well as airlifting raid team members in and out of the same areas. Though expensive to operate when rented from a private firm, the helicopter in this situation is invaluable as it saves hundreds of manhours that would have been expended in conducting the raid on foot and hauling the illicit weed out by hand.

The below listed figures represent the total hours spent by Butte County Narcotic Officers in aircraft during the 1982 Sinsemilla Project. The figures are further broken down to show hours airborne and monies spent by Butte County and the U.S. Forest Service pursuant to a marijuana eradication agreement between Butte County, Plumas National Forest and Lassen National Forest, in the latter part of August 1982.

BUTTE COUNTY

Fixed-wing	66.6 hrs.	$2,268.00/
Helicopter	16.3 hrs.	1,442.00/

U.S. FOREST SERVICE

Fixed-wing	27.4 hrs.	$1,253.00/
Helicopter	34.3 hrs.	5,567.00/

TOTALS

Fixed-wing	94.0 hrs.	$3,521.00/
Helicopter	50.6	7,009.00/

Total Airborne Hours: 144.6 hrs. @$10,529.00/

NOTE: Of the 50.6 hours of helicopter time, 6.0 hours included utilization the C.H.P. helicopter at no cost to the County of Butte.

THE PLANT VALUE CONTROVERSY

During the 1981 Sinsemilla Project, Butte County Narcotic Officers, for statistical purposes, placed a value of $1,000.00/ per plant seized so that County Administrators and the public would get an idea of the loss of revenue sustained by the growers, versus the amount spent to eradicate the illicit weed. Must criticism was directed at this writer from growers and other individuals for over inflating the value of marijuana for purposes of headlines and publicity. It was felt by this writer that a $1,000.00/ per plant profit was actually a conservative figure based on conversations and interviews with the growers themselves who state they received about $1,600.00/ per pound wholesale for high grade Sinsemilla bud. In addition, the growers have stated that they received about $800.00/ per pound for high grade sinsemilla leaves.

During the 1982 Sinsemilla Project, Narcotic Officers, whenever possible, talked with growers concerning the price of marijuana they received on the wholesale market. As in the year before, growers said they received about $1,600.00/ a pound for Sinsemilla bud and $800.00/ a pound for Sinsemilla leaves. Because of criticism received during the past two years of our per plant value figure, Narcotic Officers set aside a mature ten (10) foot tall sinsemilla plant seized during a raid in mid-September. This plant was then suspended upside down and hung completely off the ground in the Butte County Sheriff's Office lower evidence shed. This plant was allowed to hang in that position for about three (3) weeks for the purposes of allowing the plant to dry out. At the end of the drying out period, the plant was then stripped of all of its leaves which were then weighed. The plant was then stripped of all of its useable bud which was then weighed. The remaining stem and stalk was then weighed also. The final results of this project are as follows:

Sample Plant:	One (1) 10 foot tall female sinsemilla marijuana plant
Sept. 15th, 1982:	Plant seized from marijuana garden, then hung upside down to dry.
Oct. 5th, 1982:	Plant was stripped of leaves and bud from the stems and stalk.

RESULTS:

Leaf--------368 grams/12.95 oz.

Bud---------763 grams/26.86 oz.

Stems-------698 grams/24.57 oz.

TOTAL WEIGHT----------1829 grams/64.4 oz.

Based on the above weights and wholesale figures quoted by the growers themselves twenty-seven (27) ounces of bud would wholesale for about $2,700.00/ while the thirteen (13) ounces of leaf would be valued at about $650.00/. This adds up to $3,350.00/ for one (1) female sinsemilla plant that could be realized by a marijuana grower. A photograph of the actual plant used in this project is attached.

As in all areas of California where marijuana growing has become a large commercial enterprise, violence in one form or another seems to follow in its footsteps. In the 1981 Sinsemilla Project Summary this writer attempted to identify and make public those acts of violence indirectly or directly attributed to the marijuana growing industry. As in 1981, the 1982 growing season also had its share of violence attributed to the growing of marijuana.

Fishermen, hunters and recreationist in general are being subjected to armed encounters on public land at an alarming increase. These acts of violence ranged in nature from fires being started in marijuana gardens, shooting, booby traps, robberies conducted by "Patch Pirates", to simple telephone call threats to Narcotic Officers. In highlighting some of these acts of violence, this writer feels it is important to note that in the 1982 season, four (4) separate fires started in marijuana gardens in Butte County were directly attributed to the fire being started by arsonists according to fire investigators. The cost to the County of Butte in suppressing these fires amounts to well over $30,000.00/, not to mention the added potential damage to private property and human life that existed once the fires were started.

On September 13th, 1982, three seventeen (17) year old juveniles decided it would be easier to "Rip Off" a growers garden rather than grow the illicit weed themselves. In doing so, the three juveniles were caught in the process of hauling out several hundred plants by the marijuana grower. The suspected grower(s) then pointed rifles at the three juveniles from about twenty (20) feet away and starting firing. Because it was about 10:00 at night and the terrain very bushy, the three juveniles took off running through the thick brush and somehow managed to escape without being shot. Two of the juveniles managed to make it out to a public roadway and eventually contacting the Sheriff's Office while one of the juveniles spent the night in hiding.

On September 21, 1982, on one of the four (4) fires mentioned above that started in a marijuana garden, fire fighters came close to injury or death when they stumbled upon a series of booby traps that had been planted around the marijuana garden. As it happened, one of the fire firefighters getting ready

to fight the fire noticed a clear colored monofilament line stretched across a trail about knee high. A further examination by the firefighter revealed that the line led to a homemade shotgun shell booby trap set to go off at about head high. At this point, Narcotic Officers responded to the scene upon request and found three more shotgun shell booby traps set to go off at about four (4) feet off the ground, as well as double-barrel shotgun also set up and booby trapped to go off with a monofilament trip wire in position and set. Narcotics Officers also were able to seize about 21 high grade sinsemilla plants and noticed that several more in the area had already been harvested. Refer to attachments of photographs of the above described booby traps.

In addition to the weekly telephone threats made against Butte County Narcotic Officers by anonymous telephone callers, four (4) separate incidents involving armed "Patch Pirates" were documented as having occurred in separate areas of Butte County. These four incidents appeared to have been committed by the same suspects according to the intelligence information that was collected. According to the victims, three or four suspects posing as Butte County Sheriff Deputies showing badges would tie them up (victim marijuana growers) at gunpoint and then cut down their marijuana plants. The suspects would then leave the area, and also leave their victims tied up in the house or outside. This writer feels that the armed "Patch Pirates" described above possibly raided as many as four or five more patches, even though no official report or complaint was made.

CONCLUSION

In concluding the 1982 Sinsemilla Project Summary Report, it would be appropriate at this time to mention that the Butte County Narcotics Bureau would not have had much impact on the marijuana problem in 1982 were it not for funds and manpower

assistance received from the U.S. FOREST SERVICE, specifically the PLUMAS NATIONAL FOREST and LASSEN NATIONAL FOREST DISTRICTS.
Through the funds allocated by the U.S.F.S., which amounted to $14,000.00/, the Butte County Sheriff's Office was able to hire three extra Deputies on a full time basis for about six (6) weeks to combat the marijuana problem in Butte County with specific attention directed towards marijuana gardens located on Public Lands. These funds were also used for airplane and helicopter rental fees for air support during raids and routine aerial reconnaisance missions over U.S.F.S. lands in Butte County as well as the bordering areas of Tehama County, Plumas County and Yuba County.

It would be just as note worthy to mention the excellent assistance and cooperation received between the Narcotic Bureau and the C.H.P. helicopter crews, during some of the marijuana raids this past summer. Their high speed and maneuverable Hughes 500D Jet Helicopter was extremely valuable on those hot days at high altitudes where the gas operated helicopters wouldn't perform. As an added bonus to utilizing the C.H.P. helicopter crews, their crew members are Emergency Medical Technicians.

As the economy of the country continues at its present rate of decline along with the increase in Welfare roles and the unemployed, the large scale growing of marijuana coupled with the attached violence will steadily increase as the profit returns for growing marijuana continue to rise. Looking into the crystal ball for future predictions as it concerns the enforcement of marijuana cultivators, this writer makes the following projections:

(1) Large scale marijuana growing will shift dramatically in the next year or two from private property locations to Public Lands. This shift

will be caused primarily by four things: (a) increased enforcement activities by the combined local, State and Federal agencies (b) the current seizure by the State of private property holdings where marijuana is grown (c) the suspects realize that if not arrested at the site, their names cannot be traced as in owning private property (d) that the growers are just now beginning to realize that the I.R.S. has also taken a personal interest in their private property holdings.

(2) Intelligence information in addition to observations made in Butte County indicates that green houses (small or medium sized) have also dramatically increased and will continue to do so. Because of the high-lighted media exposure concerning the marijuana eradication effort by Law Enforcement Agencies as well as the laws concerning search and seizure, a lot of growers realize and understand the problems encountered by Narcotic Officers in attempting to obtain a search warrant for entry. This is also coupled with the fact that small plastic greenhouses are becoming more common place in backyards for growing not only marijuana but also the household supply of vegetables.

(3) The large scale plantings in large cleared out areas consisting of a 1000 plants or more will become a garden of the past except for the fool-hardy grower. This has been the result of stepped up enforcement which has caused the grower to resort to "spot planting" in among heavy look alike vegetation. The other method is by planting "querilla patches" which consist of several (10 or 15) plant patches spread out over a mile or so. The idea being, that the "Narcs" might get one or two but that is written off as a crop loss.

(4) The associated violence and booby traps will also be on the increase as the numbers of "Patch Pirates" continue to rise each year more and more growers will continue to arm themselves with weapons designed not for hunting, but for human extermination, i.e., AR-15, M-1 Carbine, OUZI 9mm, etc. It would also be interesting to note at this time, that even though a large number of deadly booby traps have been encountered by various police agencies throughout the State around marijuana gardens, there is NO law on the books that deals specifically with this problem. Hopefully this problem can be alleviated by enough concerned agencies to push for some kind of legislative action to make it a felony to booby-trap a patch. If not, all recreationists on public lands in or around an area compatible for growing marijuana will be subjecting themselves to dangers similiar to wartime mine fields.

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1983 SINSEMILLA PROJECT BUDGET PROPOSAL

BUTTE COUNTY SHERIFF'S OFFICE

As with the last two years, Butte County is still suffering with budgetary problems which has caused a significant reduction in personnel within the ranks of the Butte County Sheriff's Office. In order to keep the Patrol Division as functional as possible for purposes of maintaining officer safety requirements, the Investigation Division and the Narcotics Division has been reduced to a minimum amount of personnel.

In order to combat the steady increase of marijuana growing in Butte County, the Sheriff's Office has been fortunate in receiving funds and manpower assistance for the past two years from the Drug Enforcement Administration, State Bureau of Narcotics and the United States Forest Service. As in the past two years, the Butte County Sheriff's Office will again be seeking outside funds and assistance to wage an effective eradication effort against the cultivation of marijuana on public lands.

The purpose of seeking outside funds will be to establish an immediate response team consisting of four (4) Deputy Sheriff's as well as the ability to rent aircraft for support services and aerial reconnaissance. In organizing an effective Marijuana Eradication Team, the Butte County Sheriff's Office is in a position at this time to supply one full time Sergeant to act as a supervising agent over the program. In addition, the Sheriff's Office has all the needed equipment to outfit a Raid Team such as, two (2) 4-WD pickups, radio communications equipment, spotting scopes, binoculars, chainsaws, machetes, etc..

As information concerning marijuana cultivation usually starts to filter in around the first of March each year, the intelligence collection process begins with the documentation and filing of the information received. This is compiled by the Supervising Agent.

Around the 1st of June, an additional man should be added to the Narcotics Unit to begin checking and verifying reports received to date. This could also include the writing of search warrants if necessary.

On the 1st of July, three (3) more Deputy Sheriff's added to the Narcotics Unit would complete the raid team composition of four (4) raid team members utilizing two 4-WD vehicles and one Supervising Agent to coordinate the raids and complete the necessary paper work. A minimum four man raid team is necessary not only for the obvious safety reasons but it would be ridiculous to expect less than that number to cut down several hundred twelve (12) foot tall plants, haul them out by hand and then transport the plants in one truck back to the Sheriff's Office for destruction.

The Marijuana Eradication Team, in order to be effective, must be able to operate through the months of July, August and September. The Supervising Agent can then utilize the months of October and November to work with the District Attorney's Office to complete necessary follow-up work and finalize the reports.

With a raid team consisting of the number of personnel described above as well as being able to operate fully for those three months. the Butte County Sheriff's Office could successfully cause a substantial decline in the cultivation of marijuana not only in 1983, but also in future years.

A raid team as described herein would have the capability to not only make large plant and property seizures, but also make on the spot arrests as well as file complaints for arrests on those not present but later identified.

The Marijuana Eradication Team would also have the capability to respond immediately to all acts of reported violence directly or indirectly attributed to the presence of a marijuana garden in the area. The raid team would also have the capability to check and "recon" all areas on Public Lands where surveying crews may be working, herbicide crews may be spraying or forestry personnel may be working making timber inspections.

So that an estimated cost figure can be presented, this writer has developed a budget proposal based on a Marijuana Eradiction Team set up and operated as described in this report.

March-May 1983		Cost
One (1) Supervising Agent	3 Months	N/A
June 1983		
One (1) Supervising Agent	22 Days	N/A
One (1) Deputy Sheriff	22 Days	$1,936.00
July 1983		
One (1) Supervising Agent	22 Days	N/A
Four (4) Deputy Sheriff's	22 Days	$7,040.00
August 1983		
One (1) Supervising Agent	22 Days	N/A
Four (4) Deputy Sheriff's	22 Days	$7,744.00
September 1983		
One (1) Supervising Agent	20 Days	N/A
Four (4) Deputy Sheriff's	20 Days	$7,040.00

*NOTE: Deputies comprising the Marijuana Eradication Team would be hired on an extra-help basis at an hourly rate of $11.00 per hour at 40 hours per week.

Fixed-wing and Helicopter rental fees for a four month period estimated at:	$15,000.00
State and/or Federal Funding----------TOTAL Assistance Needed	$38,760.00

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SYNOPSIS OF NARCOTICS RELATED INCIDENTS (Deaths)

COUNTY OF BUTTE- Via Intelligence information and case investigations

1976- Overdose of white female victim. Believed to be contracted homicide due to court testimony against former boyfriend that resulted in prison conviction. Female victim was hardcore heroin user, death by heroin overdose. Six times the amount of heroin in system that would be considered lethal for a heavy user. Unsolved.

1978-Strangulation of two females and small child. Principal victim believed to have been engaged in selling marijuana and engaging in prostitution to pay bills and support drug use. Parties believed to have been killed in their home during a drug party involving methamphetamine(crank) and parties involved were under the influence of the drug. Unsolved.

1979- Strangulation of female victim. Death believed to have been connected with the use of methamphetamines or cocaine. Suspect plead guilty to first degree murder, now in prison. Suspect is prime suspect for 1978 incident above.

1981- Disappearance of large scale cocaine dealer, vehicle found shot up and blood inside. Body never found. Intelligence info that dealer was killed for large shipment of cocaine by parties from Butte County area also info that disappearance or death was related to revenge contract by associate dealers. Unsolved.

1981- Male victim of overdose in Chico area. Reportedly a large dealer from Oregon that was in Butte County to buy heroin. Intelligence info that victim was given fatal overdose(Not shot) for purpose of stealing buy money. Closed as overdose.

1981- Male victim of shooting, body dumped in Sacramento river. Victim was participating in raid of a home where marijuana and poss. cocaine was being stored. Intelligence info that an additional victim was killed after the raid and body dumped in river, Body never located. Case unsolved.

1981- Overdose of male victim by cocaine. Multiple self-inflicted stabs and slashes where cocaine was poured into the wounds. Intelligenc info that victim was a homicide by outlaw motorcycle gang from Oregon. Closed as overdose, self-inflicted wounds.

1981- Male victim of execution slaying by shooting. Victim was believec responsible for numerous ripoffs of marijuana and other drugs in Butte County area. Victim also believed to be a participant and witness to 1978 triple homicide incident. Poss. contract killing.

1981- Male victim believed to have been killed by burning with gasoline after being tortured. Believed to have been killed by contract for ripoff of cocaine dealer, and was involved in ripoffs of marijuana patches. Victim never found. Unsolved. Victim also believed to be participant and witness to 1978 triple homicide.

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1981- Male victim of traffic accident in Stockton area believed to be a contract killing due to ripoff of marijuaana patches and large amount of cocaine in Butte County area. Victim believed to have been involved in many armed ripoofs and possibly involved in contract kill:

1981- Male victim died in arson fire at a residence. Believed fire was for insurance purposes. Suspect believed to be driver for the arsonist. Suspect connected to Sacramento area biker gang. Death believed to be a contract killing for testimony given by victim in Federal drug case associated to Hell's Angels. Suspect subsequently died of overdose out of state. Case closed due to death of suspect.

INTELLIGENCE INFORMATION

Further information indicates a large scale operation by a small group of drug users and dealers that were doing armed robberies of homes, marijuana patches. Stories that females found in pathces during ripoffs were gang raped by the ripoff artists, and stories that several ripoffs have resulted in gun battles with parties on both sides wounded but not killed. Also inteligence info that recent arson fires at drug dealers homes were in connection with narcotics dealings and ripoffs.

Intelligence information further received that other killings will ocurr this year as a result of the above related incidents and ripoffs. There are believed to be from 16-20 homicides that have ocurred as a result of narcotics related activities in, or emanating from the Butte County area. Many of these homicides are parties unreportedly missing and fear of reprisals are the principal factors that prevent reporting.

Further intelligence info indicates the presence of organized crime, Mafia, connections to the area and points at the organized crime connections as a probable source of at least two or three homicides to date. This information also indicates a large scale operation via organized motorcycle gangs of trafficking in drugs(Methamphetamines principally) for a trading commodity for automatic weapons, explosives and military ordinance.

Intelligence info also indicates the presence of connections to the Mexican Mafia organization in the traffic of guns to Mexico and the importation of Mexican marijuana and heroin. Info indicates death of at least one Mexican Mafia connection due to narcotics traffic in this area.

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Many Inmates Committed Crime While Abusing Drugs

Almost one-third of state prison inmates interviewed in 1979 were under the influence of an illegal drug when they committed the crime for which they were serving their sentence, a Bureau of Justice Statistics survey found.

More than 50 percent of the state prisoners said they had taken illegal drugs during the month before committing the crime, said the bureau. Seventy-eight percent of the prisoners had used drugs at some time in their lives, compared to 40 percent of the general U.S. population.

The data came from a survey that asked the inmates a series of questions about their drug use, beginning with whether they had ever used drugs and ending with whether they were under the influence of drugs at the time of the crime for which they were imprisoned. This procedure of moving from general use to use at the time of the crime was adopted to minimize attempts by inmates to cite drugs as the reason for their crimes.

Major Findings

According to the inmates' responses:

—One-half of all drug offenses were committed under the influence of a drug, which was heroin in 20 percent of the cases.

—About 25 percent of all burglaries and 20 percent of all robberies and of all drug offenses were committed under the influence of marijuana.

—Approximately 12 percent of all robberies and 10 percent of all larcenies were committed under the influence of heroin.

—The more convictions inmates had on their records, the more likely they were to have taken drugs during the month before their offense.

—Sixty percent of all inmates with five or more prior convictions had used drugs the month before their crimes, compared to just over 40 percent of those with no prior convictions.

—The percentage of inmates with five or more prior convictions who had used heroin in the month before their offense was three times greater than the percentage of inmates with no prior convictions.

Steven R. Schlesinger, the bureau's director-designate, said about 20 percent of the 12,000 prisoners the Bureau of the Census interviewed for the survey said they had used six or more different types of drugs. Calling attention to what he said was one of the survey's most important findings, he pointed out that "heroin was used by 30 percent of the inmates but only by 2 percent of the general population."

One-half of the inmate population had been daily drug users at some point in their lives, he said, and 40 percent had recently used drugs every day. Most of the daily use was marijuana, but almost 20 percent had at one time or another used heroin daily and about 10 percent had used cocaine daily.

In its new report the bureau said that prisoner use of all drugs was substantially above drug use in the general population. However, prior to incarceration 20 percent of the inmates had used marijuana but no other drug, which is the same percentage as in the general population.

Convicted For Drug Sales

About three-fifths of the drug users convicted of drug offenses were in prison for selling drugs rather than for mere possession or use. Less than one percent of the inmates were serving time for the possession or use of marijuana. Those convicted of drug offenses were the heaviest users of drugs before incarceration. Robbers and burglars were the next heaviest users. Murderers and rapists had low drug use rates, the bulletin said.

Single copies of the bulletin, "Prisoners and Drugs," can be ordered from the National Criminal Justice Reference Service, Box 6000, Rockville, Maryland 20850. ■

Almost one-third of all state prison inmates were under the influence of an illegal drug when they committed the crime for which they were serving their sentence.

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Mr. RANGEL. Thank you, Sheriff. You have heard testimony this morning that it is believed that this marihuana eradication could best be done by local law enforcement. Approximately how many counties are involved in the area where we have this massive growing of marihuana?

Mr. BROOKS. I think it is a statewide problem, Mr. Chairman. I can only speak for my county and, of course, I have a great deal of knowledge about the neighboring counties, all the way over to the coastal area.

Mr. RANGEL. Do all of your county sheriffs get together and treat it as a statewide problem, or do you just deal with the problem within your county?

Mr. BROOKS. We exchange information and we do have programs with neighboring counties where we have undercover agents on an exchange basis. We exchange informants. We are all pretty much strapped financially.

Our budgets don't allow us to send resources out of county on a project of this nature. We rely primarily on other sources of income. This year I will be relying completely, almost completely, on U.S. Forest Service grants in order to carry out this project. However, that only limits—I mean that only provides resources for public lands.

We have as much problem on the private land—well, not quite as much. I will correct myself there. We have a tremendous problem in the farmland area.

As a matter of fact, we have just expended about $1,700 in overflies in identifying specific areas of cultivation so that when we do have our support services come in, we will be able to give some attention to the private land area.

Mr. RANGEL. But you don't have any problem in enforcing the law, even though it may be Federal law or Federal properties, as long as the resources are made available to you?

Mr. BROOKS. As a law enforcement officer and chief law enforcement officer in Butte County, I am sworn to uphold any Federal, State, or local law, and I would intend to do that.

I might state that we have the full support of our citizens in Butte County and we here in Butte county have felt the impact of the marihuana growers for several years, going back to 1980. They flooded the county with drugs; they increased our property crimes, purchased drugs or obtaining farming supplies.

There is another problem that is becoming critical at the present time. We are having a tremendous number of thefts of small tractors.

Mr. RANGEL. Let me try to rephrase my question, Sheriff.

I am saying that rather than having a Federal presence, whether it is Drug Enforcement Administration, whether it is military, whether it is National Guard, you feel satisfied that, given the resources, that the point person, the leading role should be played by the local county sheriff?

Mr. BROOKS. That is correct, Mr. Chairman. We can do the job. We are the eyes and the ears and we have the contacts; we have the intelligence base; we are the first to react.

If we have the resources, we can get the job done. We do not want our authority supplanted.

Mr. RANGEL. And you feel that you have established a record even with your limited resources, in terms of identifying conspirators, presenting a case to State governments, and not just eradicating but actually investigating these cases and bringing people to justice?

Mr. BROOKS. I think that is absolutely necessary. The repercussions of the "hit-and-rip" operations that may hurt, hit them in the pocketbook initially, but those same farmers go back out and plant another crop next year.

The other problem is, it creates competition between growers, users, and traffickers, and that is what has brought about many drug-related murders in my county.

Mr. RANGEL. You are satisfied that, given the limited resources you have, that you and other sheriffs and other county prosecutors have established some record of not only concern, but presenting cases to the grand jury and getting convictions?

Mr. BROOKS. Yes, sir, we have. We have done the best we could with the resources available to us.

Mr. RANGEL. The only reason I am pushing this point is that you have to agree that the testimony this morning has been in a different area.

We have not heard of who these people are, have they been convicted, how many are serving time, and whether or not this is a deterrent to other people that you are taking one big risk if you get involved in the marihuana cultivation.

As a matter of fact, unless I misunderstand, Mr. Chappie can help me, I saw pictures of 18 plantations. I got the clear impression that resources only allowed them to go into two of those plantations, which would allow me to assume that the plantation owners and growers in the other 16 had a good crop, and notwithstanding county sheriffs and Drug Enforcement Administration, it seems to me that the odds are for entrepreneurs to take the risk and we can give you the U-2's and the planes and you can have your detector meetings and everyone is alerted.

But I would want to hear something that relates to the risk of going to jail and being involved.

Mr. BROOKS. Well, we certainly need, in my opinion as a conservative sheriff, we need much more stringent penalties for violations of these laws.

It is my position, as I have stated, that we should follow up with investigation, prosecution, and get these people into court and get them into prison, if necessary. Get them off the street.

Mr. HUNTER. Will the chairman yield on that point?

Mr. BROOKS. That is my policy as I have set it out, both in the operation of CAMP and with my own Narcotics Division, and we will pursue it in that manner.

Mr. RANGEL. Mr. Hunter.

Mr. HUNTER. Thank you, Mr. Chairman.

I think there is an important point here.

You are saying that we need tougher sentences and more stringent prosecution, which I think everybody agrees with, but the point the chairman is making, and it was brought out in the initial slide sessions, is that you have got 18 fields that have been located. Those fields right now are coordinates on a map. Only two of them

were destroyed, and if you look at these fields and look, at the amount of marihuana that is grown in these fields, and I take it they go up to maybe a quarter acre in size or really relatively very small, but the amount of marihuana, the tonnge grown in these fields once it gets out to the street, cut down, provides the fodder, if you will, for the literally hundreds and hundreds of drug busts, and each bust costs thousands of dollars from the taxpayers.

So, by letting this, if you are looking at our resources as U.S. taxpayers as being in one pool, and we are saying where can we get the most cost effective eradication of drugs, here you have got it all together in a field. If that field can be spotted, and they are spotted now and located by aerial photography; we have got aerial photography that can go over and show individual Soviet soldiers in the Soviet Union and individualized pieces of equipment.

You located it and yet not destroyed it, and if you are looking at the cost effective situation, it is not, unfortunately, in those stringent buses or stringent prosecutions, although I go along with that too; it costs thousand and thousands of dollars. It is a lot cheaper to come along and chop those plants down and chop out one of those fields that can provide the fodder for thousands of busts.

You can take it out, apparently in one day, if you have got a good crew of people. I think you could actually take it out a lot faster if you didn't have to transport the pipe and supportive paraphernalias.

So I don't think it is—I read you had 87 separate marihuana fields that were raided in 1981. I don't see how you can possibly say you are even up to 20 percent of what you should be doing, could be doing, if you had the resources.

I think that it is intolerable to have right now 16 fields out in a given area on which we have got exact coordinates and they are growing. Presumably people are harvesting them.

Mr. BROOKS. Your comments are well taken, Mr. Hunter, and that area that you are talking about is a very small area.

Already we have identified and are in the process of preparing for the eradication of at least 20 different locations in my county alone, and that is with limited resources. If we had more, I am sure we would have more that are presently scheduled for eradication.

The problem is not being able to locate it; the problem is being able to follow it up and have the resources to eliminate those patches and destroy that contraband.

Mr. RANGEL. Let me get back to my point because we are going back to eradication. I am going to get to you, Ms. Sparks.

Can you tell me how many marihuana farmers were arrested last year and how many were convicted?

Mr. BROOKS. I have statistics here beginning with 1981, and this is by calendar year, and you can compare this with the documentations that I have submitted for the record.

In dangerous—let's see, in marihuana, in felony arrests, we had—first of all, let me start—we had 46 reports; we had 11 arrests; we had three citations issued on felony violations.

Mr. RANGEL. Are we talking about farmers now?

Mr. BROOKS. We are talking about people that were involved, yes, with the marihuana.

Mr. RANGEL. In growing? That is use and sales—not use and sale, growing?

Mr. BROOKS. No, I can't differentiate there.

Mr. RANGEL. You see, sheriff, I am having a problem because I want to be able to determine, we have slowed down the eradication for lack of resources.

I am reminded by Mr. Chappie, and as a former prosecutor, I know how much it costs to keep the courts open, to have reporters, to have recorders. I know it is an expensive process, but I would hate to believe that we are not prosecuting people because it is too expensive to prosecute.

I mean, then you are talking about a national crisis that if criminals can conduct their business, receive tremendous profits and know that Sheriff Brooks can't do much because the prosecutors can't afford to take the case——

Mr. BROOKS. Mr. Chairman, let me give you the accurate statistics, and these are related directly to the raising of marihuana patches.

Mr. RANGEL. Thank you.

Mr. BROOKS. In 1980 we conducted nine separate marihuana raids within Butte County with a total seizure of approximately 15,000 plants. There were 12 people arrested, 1 was convicted of a felony and the remaining 11 were convicted or pled out in courts to misdemeanors.

In 1981, 87 marihuana fields were raided in Butte County, resulting in 11,190 high-grade Sinsemilla plants seized. Seventy-nine suspects were identified as being marihuana growers in Butte County, of which approximately 25 were arrested and proceeded to go through the court system in Butte County.

Due to a ruling by superior court, a superior court judge in Butte County, all 25 subjects who were arrested for cultivation of marihuana were dealt off as misdemeanor possession or misdemeanor cultivation of marihuana. And I am not criticizing the court in that area. It was a case where aircraft was used. There were some legal questions involved.

A ruling was made which, unfortunately, allowed these people to plead to the misdemeanors. That has since been corrected.

Again, without pointing any fingers——

Mr. RANGEL. I am not pointing fingers, but I get the clear impression that the risk that the marihuana farmers take in this town is that the equipment may be confiscated.

Mr. BROOKS. And their——

Mr. RANGEL. And what?

Mr. BROOKS. And their illicit product——

Mr. RANGEL. And their products destroyed.

Mr. BROOKS. That is right.

Mr. RANGEL. The chances of going to jail are nil?

Mr. BROOKS. That is probably true.

Mr. RANGEL. OK.

Mr. BROOKS. It will not be true in this year, however, under my policy.

Mr. RANGEL. It will not be true this year? What is going to happen this year?

Mr. BROOKS. I have changed the policy of the Department. We will have follow-up investigations. We will have arrests and prosecutions in every instance where that's possible.

Mr. RANGEL. Do you feel that your colleagues, your fellow sheriffs, what are the—what are their policies? We can't go to every county.

Mr. BROOKS. Well, I can't——

Mr. RANGEL. OK. We will try to get that.

Ms. Sparks, you have been trying to say something.

Ms. SPARKS. One of the reasons that there is not a more definite push behind larger sentences, stiffer sentences, larger penalties, is because of a lack of public awareness associated with violent crime in the marihuana industry.

A lot of people are still under the misconception that the neighborhood boy is growing some marihuana out in the back yard, the public is not aware that it has gone to the magnitude and that there is a full-blown war out there because, as you drive back and forth to work and you know that the neighbor down the street smokes it and you know somebody else does, you do not get the picture that we get as elected officials, and we get in the sheriff's department, and the eradication problems that we are running into.

Mr. RANGEL. Why do you need a lot of education? You need education in terms of deterrent for use, but all you need is a sheriff, a prosecutor and a judge. Why do you need education?

Ms. SPARKS. That is a wonderful theory, except it takes money to do that and it means that the money has to be allocated.

Mr. RANGEL. I understand that.

Ms. SPARKS. When the State mandates where most of our money goes, we have very limited budget, seven of our homicides have been directly drug related, have cost us over a million dollars in court costs, sheriff and investigation fees and everything else.

We have two marihuana growers that come in and they steal each other's crops, so we have gunfire, so they kill each other but, damn it, they have done it in Humboldt County and we have to then go half across the world to bring witnesses and everything else from all over.

We are flying our people clear back to New York. We are all over trying to bring these people in who are witnesses for prosecution. We don't have the money.

Mr. RANGEL. Well, I am going to ask staff to send a questionnaire to the sheriffs of the various counties in the State of California to indicate their ideas, the size of the problem and the cost of investigations and prosecutions, and to determine whether or not people are not being arrested and indicted and prosecuted because of limitation of funds.

Ms. SPARKS. May I answer one more question of yours?

You asked whether the counties were working together. We just had a $4 million bust in Trinity County and there were shots fired, and Humboldt County deputies then came in to help the Trinity County deputies, so we are trying to coordinate our efforts and we are working together as much as possible.

Mr. LEWIS. Mr. Chairman, may I follow up with what I believe Supervisor Sparks was pointing out?

If you have this kind of cost and if county budgets are so directly related to the State budget prioritization that without public support and concern about the violence involved budgets don't reflect need, then simply the priorities are not going to be there to have the allocation, is that correct?

Ms. SPARKS. That is right. That is right, and the States are not going to put any more money into it unless, as elected officials you get pressure from your constituents, we have a definite problem here.

We want stiffer penalties, we want more law enforcement out there, and we are going to help support it by putting the tax dollars into that area for eradication, prosecution, and making sure that these people are going to jail

Those 18 little pot farmers are just a drop in the bucket. All you are looking at was King Range. It is so massive.

My district, the fifth district alone, I have got the Indian reservation there and some of them are growing marihuana. I have got—all over the Federal, all over the reservations, let alone everything that surrounds it.

Mr. LEWIS. Back to the peacepipe.

Ms. SPARKS. Peacepipe.

Mr. BROOKS. Let me continue with our 1982 statistics.

We had 64 separate marihuana gardens raided in 1982 with a seizure of about 8,000 plants. There were no arrests made in 1982 during the marihuana raids, the reason being that the Butte County sheriff's office at that time had just suffered severe cutbacks in personnel and that amounted to 22 deputy sheriffs out of that department, and we had no resources to conduct stakeouts and no allotted manpower needed to make the necessary arrests. It was as simple as that.

So I think, yes, resources obviously is an extra part, and my concern is that we are not only concerned about the public lands, but the private lands also.

Doesn't do any good for me to have a very forceful program in Butte county just to push the people over into the next county where maybe the program isn't as forceful.

Same way on public lands. If we go up and assist and we do a good job on the public lands, then they will just move down along the river or find some other nonpublic area where they can continue their illicit operation.

So my concentration will be countywide and only limited by the fact that I have a contract with the U.S. Forestry Department, and I am going to have to spend those funds on public lands only and I will have to look to my own resources, which are very slim at this point, to take care of all of the rest of the problem in Butte County.

Mr. RANGEL. Mr. Chappie.

Mr. CHAPPIE. It is quite obvious to me, Mr. Chairman, the further we go in this process, that we have only begun to scratch the surface in terms of the obligation of those public lands and the fact that they are administered for all of the people of this Nation.

We seem to have a specialized problem and while it runs contrary to my philosophy of Government, it is quite evident that we are going to have to direct our attention to the amount of resources

that the Federal Government is putting in to find the solution to the problem.

We have certainly not begun to scratch the surface, and when you consider that 50 or 60 percent of the lands in this State are public ownership, public trust, the cost to the counties is monumental.

They can't really met their obligation in terms of the private lands. I think that the committee is going to have to give serious thought to closer cooperation with Forest Service, BLM in terms of the PILT program.

Mr. RANGEL. Mr. Lewis.

Mr. LEWIS. I don't have any other questions.

Mr. RANGEL. Mr. Hunter.

Mr. HUNTER. I have just one or two questions, Mr. Chairman. Thank you.

It looks to me, Sheriff, like you have really got two problems; the problem is a dual one. You have got a campaign against the people who are growing the marihuana, and that includes the apprehension, prosecution, punishment, et cetera, and you have got a campaign against the plant itself, against the marihuana itself.

Now, if you add it up, if you added up the some 87 separate fields that were eradicated in 1981, and I take it from our previous testimony the average field will go less than a quarter of an acre. Is that correct?

Mr. BROOKS. That is right.

Mr. HUNTER. OK. If the average field is one-quarter of an acre, that means that you destroyed in this county in 1981 less than 25 acres of marihuana.

And I think, again, the point is that if you destroy the marihuana when it is there, when it is visible, when it is growing, then you have got precise locations on it, assuming that you could get the aerial photo resources necessary to locate it, you have nipped in the bud a product that is going to ultimately be diffused throughout society and cost a tremendous amount of money.

So the point is, you have got a lot of plants but, you know, like if you grow corn, you have got thousands of plants per acre, so you can have—sounds like you have taken down a lot of plants but you have only taken 25 acres of marihuana under eradication.

Now, I listened to the figures that were given early on about the two plots that were eradicated in this joint program. If my figures are right, it cost about $15,000, and let's say the plants—let's say that the plots were one-quarter of an acre apiece; that means you eradicated one-half an acre, and this is eradication; this isn't prosecution.

You eradicated one-half an acre of marihuana for $15,000. That is the rate of $30,000 an acre for taking a crop off of it.

Now, you know, the average farmer can eradicate, for example—and I realize they are in the mountains, so you don't have the old family tractor or farm tractor to go in with a disc and disc it under, but you can take a crop off by plowing under or burning or spraying with some type of defoliant, a farm crop at the rate of like 5 or 10 bucks an acre, and you have this tremendous cost associated with—and I see in the way it is done—where you actually come in, you cut the marihuana, you take it out, you catalog it, you do

all these things you wouldn't do, for example, weeds, if you just wanted to destroy it.

It is going to cost a lot more money, I would think, than we could—than it would cost if we really tried to streamline the situation.

The point I am making is, I think if we undertake the campaign against the plant and use Federal resources, you could retain your leadership and jurisdiction of the prosecution against the people, but you would be taking care of a great deal of the problem because, as the chairman says, it you have got 18 plots, and even if they were located, you can count only 2 of them being raided, you can have a good percentage of everything, a successful plot that is going to motivate more people to be in the business.

Isn't there some way we can take out, with our considerable resources, more than 25 acres of marihuana a year?

Mr. BROOKS. Mr. Hunter, all of your remarks are well taken. Unfortunately, we don't have the time to go into the detail on a lot of the areas, and I heard testimony here today that I had questions about. I consider myself a cost-effective law enforcement administrator. Of 84 patches that were raided in 1982, I would estimate that we expended in resources approximately $28,000.

Now, when you talk about marihuana growers and no prosecution but simply confiscating the contraband, that grower is just going to become more sophisticated. These people may not be well educated, but they are not stupid.

They are very intelligent, and then they play the game with law enforcement, they become very sophisticated. They plant in smaller patches, they intersperse with the forest products within the forest area to hide their crops. They use greenhouses, they use camouflage nets, they will find some way. They are not going to stop.

The reason for the prosecution is not because I want to see everybody in jail; it is I want to stop this continual production of this illicit crop because I know what the repercussions of that crop are.

In order to do that, I have to take a grower who has very little investment, who pays no taxes, who reaps tremendous profits from just growing 12-foot plants around the perimeter of his home or residential area in the mountains.

When you consider that those plants can produce in revenue to him approximately $2,000 a plant, and that's an average, and I have submitted documentation in here, studies that show on confiscations that were made in Butte County, that there was approximately $2,000 profit per plant on the average.

Now, I think that that person, and I can give you another example, I know a person that built a $150,000 home and he didn't pay one dime by check. Everything was cash and he has never worked, he is not on welfare, his total income is from the production of marihuana.

Mr. HUNTER. Well, I can understand that. But the point I am making is that in fact, notwithstanding the testimony that we were given, is that there are a lot of marihuana plots right now that are located that are basically growing without Federal interdiction or without government interdiction, and it doesn't seem reasonable to allow 16 or 18 lots to be out there when you have got the exact

coordinates, and let it grow under the philosophy that if we eradicate it, they will just become more stealthy.

I think one thing too is what they have got gains, then when they grow these plants, they are susceptible to aerial identification. If you are going to put a one-quarter acre plot out there, or a one-tenth of an acre or anything that is observable as being something different than the forest when you fly over it, that does give us the opportunity at that point.

I think that is the most vulnerable point of the chain in the marihuana growth and use.

I mean, right down to the point where it is on the street. The place where you have got the best chance of destroying it is when it is in large tonnage at a fixed location that you can identify by flying over.

And I think that a dollar spent there, even if we have to use Federal resources, is going to be a dollar well spent. Much cheaper than going down the line and having to prosecute that same one-quarter acre in 1,000 drug busts diffused throughout the Nation or State.

Mr. RANGEL. Ms. Sparks.

Mr. BROOKS. I don't mean to be argumentative. I guess what is bothering me, I guess as a law enforcement officer, that is an extreme oversimplification. I think as the chairman knows, when you get involved in locating and doing all the property checks, who owns it, permission to seach, whether you need search warrants——

Mr. HUNTER. I am talking about these large searchs on a national forest, that the facts that I gave you were exact facts that I took from the presentations that were made. They located by aerial examination some 18 plots, exactly identified as to location. They are on Federal property and apparently, if you have the coordinates, if you use coordinate locations, you can go out and locate every one of them.

And yet the point is, they are growing right now. So you may say it is an oversimplification, but it doesn't seem to be a tolerable—at coordinate 63258 there is a one-quarter of an acre of marihuana growing, and we don't do anything about it.

Mr. BROOKS. That should solve the public land problem and should be a very simple operation.

Mr. LEWIS. Mr. Chairman?

Mr. RANGEL. Ms. Sparks has been dying to say something.

Ms. SPARKS. I just want to finish with a couple of things.

You are right, Mr. Hunter, when it is—you know exactly where the spot is, it is simple to go get it.

The problem is, we know where all these spots are all over the county and we don't have the money to get it all.

On the last bust we had, it was 200 plants to the tune of $4 million. Don't you think it is about worth any risk? And the more people that are planting, the less chance they are going to get you.

And the other point I want to make is, when I am talking about people growing, we not only have the real low-life coming in, we have business people, upstanding citizens in the community that are funding the growing and are actually supporting the marihuana industry.

So when you come out and you try to battle to get more money and this type of thing, a lot of your upstanding citizens are actually in the whole process itself.

Mr. RANGEL. Has one ever been convicted or arrested?

Ms. SPARKS. No, we have had one 3-year sentence given to one trafficker and that is pretty much been it, and that is because of the pressure of the upstanding citizens being involved in it.

Too, because of the lucrativeness of the project. So we have got more than just one, two, three, four, five problems. We have got actually lawyers and business people that are involved in the growing of it.

Mr. LEWIS. Mr. Chairman, I guess that just takes us back to Mr. Chappie's point, which is that narcotics and drug enforcement and control is indeed a national problem. And while local law enforcement people are where the feet meet the road, you have more sensitivity and capability, nevertheless you need a lot of help.

I frankly would ask the question, have there ever been requests to come up from local county levels to the State and to the Federal forces to assist with eradication on Federal land?

Going past that simplistic question, do we not need massive coordination and input relative to what you people judge to be cost-effective measures?

Do we not really need to focus upon this question of who is financing the growers and the traffickers?

It seems to me that there is a need for multilevel coordination here and, without declaring war from a public responsibility side on this, domestic war, it is going to continue to expand.

Mr. BROOKS. I agree with you, Mr. Lewis. I consider myself somewhat of a master at ferreting out outside resources that I can use. It is an absolute necessity now, can't survive without it, and I found a number of different sources where I could get various types of assistance, whether it be intelligence, information, training; whether it be actual funding or loan of equipment, and these sources, some are State and some are Federal.

I think you are correct in that there needs to be a concentrated, coordinated effort of resources addressed to this particular problem, and I think that the chain of command and the chain of responsibility needs to be clarified and delineated.

I have money available and equipment available through the state Bureau of Narcotics. I have some through the Forestry Department. I now have a source through the Western States intelligence network, where I may be able to tap some resources there.

I get resources anywhere I can and it is surprising how many little different pots of resources there are addressing the same problem.

For example, WSIN, I didn't know—of course, I only took office on January 3 this year—but I didn't know until 2 months ago that that was a potential source of assistance to us. So there are a lot of people that really don't know what all the sources are, and I think that should be coordinated and concentrated on this particular problem.

Mr. LEWIS. Sheriff, one of the realities is that we deal with different kinds of public and particularly media response to the problem.

It is one thing to run down deadbeats that are growing pot out in the countryside.

An investigation that led to the trial and conviction of "community leaders" in small counties of this State would raise the level of attention to the problem manifold.

Perhaps that line of investigation and support is just as important, maybe more important than the business of going and clearing out a few plots in a specific county.

Ms. SPARKS. There is the Department of Narcotics in Sacramento. I have been working with them and there is a task force that has been put together and they have brought in National Guard, Forest Service trucks, radios; they have a complete list and a complete book on the coordination of all of State and Federal areas, trying to put it together. Under Deukmejian they are doing that.

Mr. RANGEL. We want to thank both of you for the light that you have shone on this very serious problem. We have not reached any conclusions, but one thing that is abundantly clear is that we don't have a handle on the resources that are presently available, and whether or not there should be more of a Federal presence or reimbursement or direct funding, or questions that we are going to have to wrestle with.

But one thing, it is clear tnat we don't have eradication, we don't have prosecutions as a result of limited resources, and certainly we are talking about a national problem. If you twc witnesses have other ideas and recommendations that you would like to make to the committee, the record will remain open, and we sincerely thank you for your contribution.

Ms. SPARKS. Thank you.

Mr. RANGEL. We will stand adjourned. The committee is going to go on a field trip to further study the problem as it relates to the area, and we will resume the formal part of our hearing at the same place tomorrow at 9 o'clock.

[Whereupon, the hearing was adjourned.]

DOMESTIC CULTIVATION OF MARIHUANA

SATURDAY, JULY 23, 1983

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL,
Redding, Calif.

The committee met, pursuant to call, at 9 a.m., at the Redding Municipal Airport, Redding, Calif., Hon. Gene Chappie presiding.

Present: Representatives Gene Chappie and Jerry Lewis.

Staff present: John T. Cusack, chief of staff; Richard B. Lowe III, chief counsel; Elliott A. Brown, minority staff director; and John W. Peploe, investigator.

Congressman Chappie's staff present: Leslie Alward, staff assistant; Hoyt Elkins, district representative; Jennifer Herman, District of Columbia staff; and Nancy Mattias, administrative assistant.

Mr. CHAPPIE. The committee will be in order.

For the record, a brief summation of yesterday's activities. From my point of view, there were a number of folks that were somewhat dubious as to, first, the value of the efforts of this committee, particularly the chairman, in conducting this 2-day hearing in this location. When you consider some of the problems that we view as a select committee and the fact that the major cities in many instances overlook the problems of marihuana, there was some skepticism on the part of various members of the committee as to the value and/or the necessity of these proceedings.

I found the testimony yesterday very helpful, in that if we are going to deal with the problem that besets us, we obviously have to build a case so that we cannot only focus attention on it but be competitive in terms of applying these resources that are necessary to combat the problem.

After the committee recessed, we then choppered to Lake County, where we had an opportunity at first hand to review harvesting of a plantation with some 600 plants that had not totally yet matured. That in itself was quite impressive.

The material was then airlifted to the airport in Lakeport. We were also provided an opportunity to firsthand review the sophistication of these types of operations, the very modern types of irrigation equipment, interestingly manufactured in Israel. Those folks have apparently mastered the art of husbanding their water resources. The fertilization, rodenticides, and all of the equipment was then confiscated and brought back to the site.

I first want to express my appreciation again to the committee, those that made some degree of sacrifice in adjusting their schedules to assist us in this operation, and I would suspect more impor-

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tantly, the fact that there are many of us who have journeyed afar and been extremely patient to assist us in our efforts.

Mr. Lewis, you have a comment?

Mr. LEWIS. Thank you, Mr. Chairman.

In yesterday's morning session, a question was first raised relative to the feasibility of similar agriculturalists cultivating plants that may be an even more serious threat than marihuana.

With the finding of heroin poppies in one location, it is truly conceivable that there is not just a marihuana problem but a very complicated and complex drug problem that could affect all of California, as well as the country.

Our trip had its greatest benefit in that there is a great tendency, when you leave this area and fly 3,000 miles to the east and then cross the Potomac, to presume that the world turns like the Washington Post. There is a presumption that all is the east coast and people really do not understand, cannot comprehend, open country like this.

The challenge and the difficulty in dealing with people who would violate the law, of cultivating these products in public land and open territory, creates a problem of immense magnitude. It is a great challenge, and it is a problem that is a national problem.

I think it is very clear that we are going to have to take steps at the Federal level and reevaluate our own responsibilities. It is very clear that there is a need for direct coordination between those Federal agencies and State and local officials, with somebody taking the lead and the responsibility to best coordinate with those officials who are on the scene and who can help us do the job that is before us.

I look forward to the particular testimony today that focuses on those people who will make it clear to those who are disbelievers that this indeed is a national problem.

Thank you, Mr. Chairman.

Mr. CHAPPIE. Thank you, Mr. Lewis.

Mr. LEWIS. Let me say for the record as well: Charlie Rangel spoke time and time again yesterday, of the value he saw of our trip. It would be unfortunate not to mention that Mr. Chappie has been the ramrod behind this. He has been putting the needle in the side of all of us to take a hard look and come see the situation firsthand, and for that you deserve a lot of credit, Mr. Chairman. I appreciate being along.

Mr. CHAPPIE. Thank you, Mr. Lewis.

Our first panel this morning is comprised of the attorney general of Idaho, Mr. Jim Jones; the assistant attorney general of Oregon, Bob Hamilton; and Frank Navarrete, who is the director of the Criminal Intelligence System Agency in the State of Arizona.

Gentlemen, I am certain that you all have prepared statements. They will be entered into the record in their entirety. You may proceed in whatever manner you desire. You may summate or proceed on whatever is most comfortable with you.

Mr. Jones, would you care to lead off?

TESTIMONY OF JIM JONES, ATTORNEY GENERAL, IDAHO

Mr. JONES. Thank you, Congressman Chappie, Congressman Lewis.

I appreciate the opportunity to tell you about the marihuana problem that we have in Idaho and what I think we can do to improve the eradication effort there. I do appreciate the fact that you have this field hearing, which gives us an opportunity to participate.

Needless to say, the problem in Idaho is growing. We have become a major producer or commercial producer of marihuana and an exporter, and I might say that our marihuana problem has some effects down here because, as the enforcement effort in California increases, the number of growers in Idaho increases. I think you have displaced some of your growers and they have shown up in Idaho.

Also, your State is impacted by the problem in Idaho because approximately two-thirds of the marihuana grown in Idaho is exported out of the State, with a large part of it coming to California. Last year we ranked 17th in the Nation in the amount of marihuana seized, and I think we just touched the tip of the iceberg.

It was not until about 2 years ago that we started our marihuana eradication program. Last year was the first year that we received DEA funding. We received $26,000, and even though we received it late in the year, we were able to seize more than 12,000 growing plants, with an estimated street value of over $31 million.

The seizures thus far this year have increased about tenfold. And that is with an initial funding from DEA of $35,000. We are hoping to get an additional $35,000 later in the year.

But I think there are a number of things that could be done to improve the eradication effort. As with most of the Western States, Idaho has a great deal of Federal ownership. About two-thirds of the land in our State is under the ownership of the Federal Government. We have 16 narcotic investigation officers at the State level. The legislature this year approved 6 additional, and so starting the first of September we will have 22.

But if you take into consideration the fact that about 40 percent of the marihuana seized last year grew on Federal land and about 50 percent or more seized this year will be grown and cultivated on Federal land, the Federal authorities just have not put in their fair share of the effort.

And with that large Federal ownership and the large amount of marihuana grown on Federal lands, the Federal Government has simply got to do a better job. We used to have three Drug Enforcement Administration agents in Idaho. As of 6 months ago, that was reduced to two. The Spokane office of DEA covered northern Idaho longer ago. They no longer do because their contingent was reduced from five agents down to two.

So as far as DEA, we have two people that cover the entire State. And when you put one busy person doing paperwork, that does not leave much Federal manpower.

The FBI has been assisting us, but that assistance has not been as effective as it could be because there seems to be a continual tension between DEA personnel and FBI personnel. Our experience

with FBI has been that it is essentially a one-way street of cooperation because the FBI gets all the information that they can from State and local authorities who are cooperative in producing it, but yet we have difficulty in getting information from the FBI.

When a cooperative effort is made, it appears that the FBI, even though it comes in on an ongoing investigation, tends to get all of the credit, tends to get all of the property seized, the money seized, and so it does not really facilitate cooperation between the Federal and the State authorities.

So I think we are going to have to sort out the problems between the FBI and DEA and that would improve the picture. I think we are going to have to get better cooperation between the FBI and the State authorities, and it seems to be that the problems come from the higher levels, because the agents in Idaho have been pretty good. But the difficulty seems to come from higher up. I think that has to be sorted out. I think we have got to have greater assistance from the Federal authorities and more manpower in the field to carry out the Federal responsibility.

We were very interested in utilizing the National Guard aircraft, for instance, to do some surveillance and to assist in the eradication effort by lifting manpower out in the field once the marihuana plot has been identified. But the problem is that we are short of resources at the State level. We have strained our budget by funding these additional six officers, and we simply do not have the money to pay for the use of the National Guard aircraft.

And I think if that were to come at the Federal level, it would be part of meeting the Federal responsibility because of the large ownership of Federal land out there.

So what we are asking for is some additional assistance; we are not asking for a handout. We are simply asking that the Federal authorities meet their fair share of the responsibility.

[Mr. Jones' prepared statement follows:]

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
BOISE 83720

STATEMENT OF IDAHO ATTORNEY GENERAL JIM JONES
BEFORE THE SELECT COMMITTEE ON NARCOTICS
ABUSE AND CONTROL OF THE U.S. HOUSE
OF REPRESENTATIVES

REDDING, CALIFORNIA JULY 23, 1983

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I APPRECIATE THE OPPORTUNITY TO APPEAR BEFORE THIS COMMITTEE TO DISCUSS THE MARIJUANA PROBLEM IN THE STATE OF IDAHO.

UNFORTUNATELY, IDAHO HAS BECOME A MAJOR COMMERCIAL PRODUCER AND EXPORTER OF ILLICIT MARIJUANA IN RECENT YEARS. IN 1982 THE STATE OF IDAHO RANKED 17TH NATIONALLY IN THE AMOUNT OF MARIJUANA SEIZED BY LAW ENFORCEMENT PERSONNEL. BASED ON EXPERIENCE SO FAR THIS YEAR, IDAHO MAY MOVE INTO THE TOP TEN RANKING OF MARIJUANA PRODUCING STATES. WE ARE FACING A SERIOUS PROBLEM.

BEGINNING IN 1980 THE IDAHO DEPARTMENT OF LAW ENFORCEMENT, WHICH IS RESPONSIBLE FOR DRUG ENFORCEMENT IN MY STATE, BEGAN TO ENCOUNTER COMMERCIAL MARIJUANA GROWING OPERATIONS WITHIN THE STATE. ALSO, INTELLIGENCE INFORMATION WAS BEING RECEIVED INDICATING THAT COMMERCIAL MARIJUANA GROWERS FROM CALIFORNIA AND OTHER TRADITIONAL MARIJUANA GROWING LOCATIONS WERE LOOKING TO STATES LIKE IDAHO, DUE TO

INCREASED ENFORCEMENT MEASURES THAT WERE BEING TAKEN AGAINST THE GROWERS.

IDAHO'S LARGE EXPANSES OF ISOLATED PUBLIC AND PRIVATE LANDS, PARTICULARLY IN MOUNTAINOUS AREAS OF THE STATE, ARE WELL SUITED TO THE UNDETECTED COMMERCIAL CULTIVATION OF MARIJUANA. THE CLIMATE ALLOWS A GROWING SEASON EXTENDING FROM MAY OR JUNE THROUGH OCTOBER AND, THOUGH MANY AREAS ARE SEMI-ARID, WATER FROM MOUNTAIN STREAMS IS AVAILABLE FOR IRRIGATION.

DURING 1982 THE FIRST DRUG ENFORCEMENT ADMINISTRATION MARIJUANA ERADICATION PROGRAM FUNDS WERE MADE AVAILABLE TO IDAHO THROUGH THE DEPARTMENT OF LAW ENFORCEMENT. ALTHOUGH THE FUNDS WERE LIMITED ($26,000.00) AND RECEIVED RATHER LATE IN THE GROWING SEASON, THE DEPARTMENT WAS ABLE TO MAKE SIZEABLE SEIZURES OF GROWING MARIJUANA AND OBTAIN INTELLIGENCE INFORMATION FURTHER INDICATING THAT IDAHO HAS A SERIOUS PROBLEM CONCERNING COMMERCIAL MARIJUANA GROWING AND IS IN FACT BECOMING A SOURCE OF DOMESTIC MARIJUANA. APPROXIMATELY TWO-THIRDS OF ALL MARIJUANA GROWN IN IDAHO IS SHIPPED OUT OF THE STATE, MUCH OF IT TO CALIFORNIA.

IN THE ERADICATION EFFORT CONDUCTED LAST YEAR A TOTAL OF 12,489 GROWING MARIJUANA PLANTS WITH AN ESTIMATED STREET SALE VALUE OF $31,220,000.00 WERE SEIZED AND DESTROYED. FIFTY-FIVE SEPARATE GROWING OPERATIONS WITH AN AVERAGE OF 227 PLANTS PER PLOT WERE DETECTED IN 14 DIFFERENT COUNTIES. THE LARGEST OPERATION INVOLVED 1,570 PLANTS. THE AREAS OF

HEAVIEST CULTIVATION WERE LOCATED IN THE CENTRAL AND NORTHERN PORTIONS OF THE STATE. APPROXIMATELY 25 PERCENT OF THE PLANTS WERE OF THE SENSEMILLA VARIETY.

TWENTY-SEVEN PERSONS WERE ARRESTED AND CHARGED WITH FELONY VIOLATIONS; APPROXIMATELY 75 PERCENT WERE CONVICTED. EIGHTEEN OF THE SUBJECTS ARRESTED WERE IDENTIFIED AS HAVING BEEN INVOLVED IN COMMERCIAL GROWING OPERATIONS IN CALIFORNIA, ARIZONA, OREGON AND WASHINGTON. ONE GROWER WAS IDENTIFIED AS HAVING MOVED TO IDAHO FROM WASHINGTON AND WAS UNDER CONTRACT TO SELL THE MARIJUANA TO TRAFFICKERS IN CALIFORNIA. DURING THE OPERATION, OFFICERS DISCOVERED 11 TYPES OF WEAPONS AND ONE BOOBY TRAP DEVICE.

IDAHO HAS RECEIVED $35,000 THUS FAR FROM DEA FOR THE 1983 ERADICATION EFFORT. EARLY INDICATIONS ARE THAT A GREAT DEAL MORE MARIJUANA WILL BE SEIZED THIS YEAR. AS OF JULY 1, 1983, 7,000 PLANTS HAD BEEN SEIZED, REPRESENTING A 1,000 PERCENT INCREASE OVER THE 700 PLANTS WHICH HAD BEEN SEIZED BY JULY 1 OF 1982. THE MAJOR SEIZURES WILL BE MADE DURING THE FALL OF THE YEAR AND WE ARE HOPING THAT WE WILL BE ABLE TO OBTAIN UP TO AN ADDITIONAL $35,000 FROM DEA TO CONTINUE THAT EFFORT.

THE 1983 ERADICATION PROGRAM IN IDAHO INVOLVES DISSEMINATION OF "MARIJUANA TIP AND REWARD" POSTERS, LISTING A HOT LINE NUMBER, AND RADIO AND TELEVISION PUBLIC EDUCATION SPOTS. SPECIALIZED TRAINING PROGRAMS HAVE BEEN SCHEDULED FOR THE DEPARTMENT OF LAW ENFORCEMENT AND CITY AND COUNTY

LAW ENFORCEMENT PERSONNEL. LIAISON WORK WITH OTHER AGENCIES SUCH AS THE U.S. FOREST SERVICE AND IDAHO DEPARTMENT OF FISH AND GAME ARE ALSO PLANNED. AIR SEARCH AND SURVEILLANCE PROGRAMS WILL BE CONDUCTED, AND A SPECIALLY TRAINED TEN MEMBER TEAM WILL BE USED TO CONDUCT LONG TERM OPERATIONS IN ISOLATED AND RUGGED TERRAIN.

THE IDAHO ERADICATION EFFORT HAS GREATLY INTENSIFIED WITH QUITE FAVORABLE RESULTS. HOWEVER, A TREMENDOUS AMOUNT OF MARIJUANA GOES UNDETECTED REQUIRING A FURTHER INTENSIFICATION OF THE ERADICATION PROGRAM. LAST OCTOBER NEWSWEEK MAGAZINE ESTIMATED THE CASH VALUE OF IDAHO'S MARIJUANA CROP AT BETWEEN $100,000,000 AND $200,000,000.

WHILE THE STATE HAS BEEN INTENSIFYING ITS EFFORT, IDAHO LAW ENFORCEMENT PERSONNEL DON'T FEEL THAT SOME FEDERAL AUTHORITIES HAVE CARRIED THEIR FAIR SHARE OF THE ERADICATION BURDEN. APPROXIMATELY TWO-THIRDS OF THE LAND IN IDAHO IS UNDER FEDERAL OWNERSHIP. LAST YEAR ABOUT 40 PERCENT OF THE MARIJUANA SEIZED IN IDAHO WAS BEING GROWN ON FEDERAL LAND. IT APPEARS AS IF 50 PERCENT OR MORE OF THE SEIZURES THIS YEAR WILL OCCUR ON FEDERAL LAND. THEREFORE, IT IS INCUMBENT ON THE FEDERAL GOVERNMENT TO PROVIDE SUBSTANTIAL SUPPORT AND ASSISTANCE IN THE ERADICATION EFFORT.

THE STATE OF IDAHO HAS RESPONDED TO THE GROWING MARIJUANA PROBLEM BY INCREASING ITS COMMITMENT OF RESOURCES TO THE DRUG ENFORCEMENT EFFORT. THERE ARE CURRENTLY SIXTEEN NARCOTICS INVESTIGATORS IN THE IDAHO DEPARTMENT OF LAW

ENFORCEMENT. THAT NUMBER WILL BE INCREASED TO 22 AS OF SEPTEMBER 1 OF THIS YEAR. AN ADDITIONAL 25 DEPARTMENTAL INVESTIGATORS, WHOSE PRIMARY ASSIGNMENTS ARE IN OTHER AREAS, CAN BE MADE AVAILABLE IN THE DRUG ABUSE AND MARIJUANA ERADICATION EFFORT ON A TEMPORARY BASIS. ALTHOUGH FINANCIAL RESOURCES ARE SCARCE IN OUR STATE AND ALTHOUGH A GREATER EFFORT NEEDS TO BE MADE AT THE STATE LEVEL, I FEEL THAT THE STATE OF IDAHO HAS BEEN RESPONDING TO THE INCREASING MARIJUANA PROBLEM. I BELIEVE THAT A GREATER EFFORT SHOULD BE MADE BY THE FEDERAL GOVERNMENT IN THE STATE OF IDAHO, PARTICULARLY BECAUSE OF THE GREAT AMOUNT OF MARIJUANA GROWN ON FEDERAL PROPERTY.

IN 1982 THERE WERE THREE DRUG ENFORCEMENT ADMINISTRATION AGENTS ASSIGNED TO THE IDAHO DEA OFFICE, WHICH COVERS MOST OF THE STATE OF IDAHO. APPROXIMATELY SIX MONTHS AGO ONE OF THOSE AGENTS WAS TRANSFERRED, LEAVING TWO AGENTS IN THE IDAHO DEA OFFICE. IDAHO LAW ENFORCEMENT PERSONNEL HAVE BEEN PLEASED WITH THE GOOD COOPERATION AND FINE EFFORTS OF THESE INDIVIDUALS BUT THERE ARE SIMPLY NOT ENOUGH OF THEM TO CARRY OUT THE FEDERAL RESPONSIBILITY FOR MARIJUANA ERADICATION IN IDAHO.

THE NORTHERN PORTION OF THE STATE IS UNDER THE JURISDICTION OF THE DEA OFFICE OPERATED OUT OF SPOKANE, WASHINGTON. THAT OFFICE HAS BEEN TRIMMED IN RECENT MONTHS FROM FIVE AGENTS DOWN TO A CONTINGENT OF TWO AGENTS. THOSE REMAINING AGENTS ARE UNABLE TO EFFECTIVELY ASSIST IN THE

MARIJUANA ERADICATION PROGRAM IN NORTHERN IDAHO--THE AREA OF THE STATE WHERE THE GREATEST PROBLEM EXISTS.

RECENTLY, THE FEDERAL BUREAU OF INVESTIGATION HAS BECOME INVOLVED IN THE DRUG ABUSE AND MARIJUANA ERADICATION EFFORT AND THE ADDITIONAL ASSISTANCE HAS BEEN APPRECIATED. HOWEVER, IN ORDER TO INSURE MAXIMUM COORDINATION AND COOPERATION, IT SEEMS AS IF SOME DIFFICULTIES MUST BE WORKED OUT AT THE FEDERAL LEVEL. THERE APPEARS TO BE A CERTAIN AMOUNT OF TENSION BETWEEN THE DEA AND THE FBI WHICH HAS NOT BEEN CONDUCIVE TO MAXIMUM COOPERATION. AGENTS OF BOTH DEPARTMENTS HAVE COOPERATED FAIRLY WELL AT THE STATE LEVEL SO IT APPEARS THAT THE TENSION EMANATES FROM THE HIGHER ADMINISTRATIVE LEVELS OF THOSE AGENCIES. IT WOULD CERTAINLY BE APPROPRIATE TO WORK OUT THE OPERATING RULES BETWEEN THESE TWO AGENCIES SO THAT INTER-AGENCY TENSION AND RIVALRY DOES NOT STAND IN THE WAY OF A MORE EFFECTIVE DRUG ENFORCEMENT EFFORT.

AN ADDITIONAL PROBLEM IN WORKING WITH THE FBI HAS BEEN A PERCEPTION ON THE PART OF IDAHO LAW ENFORCEMENT PERSONNEL THAT COOPERATION IS SOMEWHAT OF A ONE-WAY STREET. ON CERTAIN OCCASIONS WHEN THE FBI HAS JOINED AN ON-GOING INVESTIGATION INITIATED BY STATE OR LOCAL AUTHORITIES, THE FBI HAS EXHIBITED A TENDENCY TO ESSENTIALLY TAKE OVER THE CASE, TO CLAIM THE LION'S SHARE OF CREDIT, AND TO RECEIVE THE BENEFIT OF ALL SEIZED PROPERTY, VEHICLES AND MONIES. IF THIS IS INDEED THE PRACTICE, IT ACTS AS SOMEWHAT OF A

DISCOURAGING FACTOR WHEN IT COMES TO FEDERAL-STATE-LOCAL COOPERATION AND COORDINATION. IN ADDITION, THERE IS A PERCEIVED RELUCTANCE ON THE PART OF THE FBI TO SHARE INFORMATION WITH STATE AND LOCAL AUTHORITIES, WHILE THEY HAVE FREELY PROVIDED INFORMATION TO THE FBI. AGAIN, THE COOPERATION WITH LOCAL AGENTS APPEARS TO HAVE BEEN QUITE GOOD, INDICATING THAT THE DIFFICULTY MAY EMANATE FROM HIGHER ADMINISTRATIVE LEVELS. IF THESE PERCEIVED DIFFICULTIES ARE IN FACT A RESULT OF EXISTING POLICIES IN THE FBI, ATTENTION SHOULD BE DIRECTED TOWARD THOSE POLICIES IN ORDER TO FACILITATE COOPERATION AND COORDINATION IN THE DRUG ABUSE AREA.

IT SHOULD BE POINTED OUT THAT GOOD COOPERATION HAS BEEN THE GENERAL RULE BETWEEN STATE AND FEDERAL AUTHORITIES BUT A MUCH GREATER FEDERAL PRESENCE IN THE IDAHO MARIJUANA ERADICATION IS NECESSARY AND JUSTIFIED. THE UNITED STATES ATTORNEY IN IDAHO HAS BEEN VERY COOPERATIVE AND HELPFUL. BUREAU OF LAND MANAGEMENT OFFICIALS AND FOREST SERVICE PERSONNEL HAVE BEEN VERY COOPERATIVE AND SUPPORTIVE. AN INCREASED DEA COMMITMENT TO THE STATE OF IDAHO IS NECESSARY AND ENTIRELY APPROPRIATE BECAUSE OF THE LARGE FEDERAL LAND OWNERSHIP IN IDAHO. BETTER COOPERATION AND IMPROVED ASSISTANCE FROM THE FEDERAL BUREAU OF INVESTIGATION WOULD GREATLY ENHANCE THE MARIJUANA ERADICATION PROGRAM IN IDAHO. THE MARIJUANA PROBLEM IS GROWING AND THERE SIMPLY MUST BE MORE MANPOWER IN THE FIELD TO COMBAT IT. THE STATE OF IDAHO HAS STARTED TO DO A MORE EFFECTIVE JOB AND WE EXPECT AND MUST RECEIVE MORE HELP FROM THE FEDERAL GOVERNMENT. WE DO NOT LOOK FOR A HANDOUT BUT WE DO LOOK FOR THE FEDERAL GOVERNMENT TO DEVOTE MORE MANPOWER TO THE STATE TO CARRY OUT ITS RESPONSIBILITY ON FEDERAL LANDS.

Mr. CHAPPIE. Thank you, Mr. Jones.

Questions, Mr. Lewis?

Mr. LEWIS. Why do we not go through the panel.

Mr. CHAPPIE. All right.

Do you want to go through the panel first? Let us start with Mr. Navarrete, please.

TESTIMONY OF FRANK F. NAVARRETE, DIRECTOR, ARIZONA CRIMINAL INTELLIGENCE SYSTEM AGENCY

Mr. NAVARRETE. Thank you, Mr. Chairman. Distinguished committee members.

For the record, I would like to clarify the fact that I am the director of the Arizona Criminal Intelligence Agency and am not affiliated with the attorney general's office.

Mr. CHAPPIE. We stand corrected.

Mr. NAVARRETE. Before commencing my remarks, let me comment on the role that my agency plays, its uniqueness and neutrality. To my knowledge we are the Nation's only independent criminal intelligence agency without primary law enforcement jurisdiction. Although we have law enforcement status and our people have peace officer powers, our activities are limited to the intelligence process. We serve in a support posture to enhance the effectiveness of local law enforcement in its efforts to combat crime and reduce the flow of illegal narcotics.

Before you are copies of our agency's assessments of the illicit marihuana cultivation problem in Arizona, and specifically the overwhelming predominance of sinsemilla as the marihuana growers' crop of choice. The information we have received from Arizona law enforcement agencies strongly indicates that there is an increasing problem of marihuana cultivation within the borders of this State. Agencies are aware of the problem and are taking measure to retard its proliferation.

There is a severe need, however, for additional resources such as money, manpower, training, and sophisticated detection equipment. On the working level there is a great deal of cooperation between local authorities. However, there is a need for a more coordinated effort on the part of the law enforcement administrators at the Federal and State levels. This would permit additional resources to be assigned to assist local authorities in enhancing their effectiveness in combating the illicit activities surrounding the growth and cultivation of marihuana.

As indicated in the written brief, sinsemilla is rapidly becoming the marihuana growers' moneymaker. As users of this product are becoming more selective in their demands for a high-grade product, they enhance their ability to meet those demands through more sophisticated agricultural techniques and elaborate watering systems.

Illicit marihuana growers go to great lengths to conceal their crops from detection through planting in hothouses, between citrus trees, and among tall, conventional farm crops. Their efforts to protect their crops from detection and from pilfering—electronic detection devices, boobytraps, and armed guards—are being encountered by law enforcement officials at these sites.

This is also indicative of an increased potential for violence. While the percentage of sinsemilla crops in Arizona is yet to be determined, it is abundantly clear that high-grade yields are more in demand and, therefore, far more readily marketed.

There is an obvious revolution taking place from the personal and private home production of marihuana for personal use to a large-scale farming enterprise of sophisticated, organized elements established for the commercial disbursement of an illegal narcotic.

Our agency recently saw the fruits of their efforts, combined with those of approximately 16 Federal, State, and local law enforcement agencies for Arizona, in the very successful project called multiagency conspiracy eradication, which targeted a long-established narcotic traffic organization which had extended into 30 States and 8 foreign countries.

This case recently resulted in 34 conspiracy indictments being filed in Arizona and numerous arrests and seizures of contraband and commercial properties associated with those conspiracies. This case is a unique example of cooperation between law enforcement agencies and State and Federal prosecutors who united at the outset of this investigation approximately 2 years ago to bring down a criminal organization.

I am convinced that large-scale and sophisticated commercial marihuana cultivation efforts are supported, financed, directed, and enforced by organized crime elements in the community. Mass production requires mass distribution networks. Huge commitments of finances, manpower, equipment, supply sources, and transportation are all essential to the efficient operation and marketing of illicit, high-grade marihuana products. Organized crime's insidious involvement in this activity should not be underestimated. They take advantage of every opportunity to profit from and control the illicit drug market. Organized crime has taken many forms in Arizona, as well as in most other parts of our country. It not only includes the traditional La Cosa Nostra criminal organization, but also includes other nontraditional criminal organizations, such as motorcycle gangs, prison gangs who operate both inside and outside of prisons, the Marielitos, the Cubans, the Chinese Tongs, and several others who are known for their involvement with narcotics and drugs.

Our agency has initiated an offensive against these organizations in Arizona and has targeted them for the purpose of gathering and facilitating the exchange of intelligence for purposes of prosecution in an effort to deter their influence in the State of Arizona.

Organized crime transcends State and national borders. It cannot flourish without penetrating or receiving some cooperation and support from elements from the political system. An offensive against narcotics must be mounted at all levels of law enforcement, local, State, and Federal. The current effort by the Federal Government is commendable. It is indeed unfortunate, however, that the narcotics problem in this country has been allowed to reach its current status. We are definitely in a war. Battles are being fought on both the national and local scale. We need to drop the age-old barriers to progress that have continually hampered this country's local and Federal law enforcement efforts.

There has been a seemingly endless lack of faith, trust, and two-way communication between various levels of government. Turf battles and jurisdictional disputes can benefit no one but the criminal itself. Law enforcement must become as sophisticated as the criminals. Their efforts must be subdued. Adequate resources must be made available to local law enforcement agencies to enable them to accomplish their mission toward this effort.

Their participation would be enhanced considerably if investigative funds, additional training, sophisticated equipment and manpower resources were to be amplified. Congress can continue to provide oversight of the usage of Federal law enforcement resources to insure that more than lip service is extended to local law enforcement and that they are included and are directly involved in the planning and implementation stages of the governmental task forces.

Congress can continue to support and push for passage of legislative reform as necessary, such as the Criminal Justice Assistance Act recently approved by committees of both the House and the Senate. The media has indicated that this anticrime program will provide approximately $170 million of much needed funds to assist State and local authorities in implementing proven criminal anticrime programs.

Congress can continue to support the criminal intelligence role in the fight against organized crime. The unique characteristics of a productive criminal intelligence function is, when properly carried out, it can effectively pinpoint and predict these illicit activities so they can be prevented or neutralized.

This knowledge becomes invaluable in planning the most effective countermeasures against organized crime and narcotics trafficking. Thank you.

[Mr. Navarrete's prepared statement follows:]

PREPARED STATEMENT OF FRANK F. NAVARRETE, DIRECTOR, ARIZONA CRIMINAL INTELLIGENCE SYSTEM AGENCY, TUCSON, ARIZ.

ILLICIT CULTIVATION OF HIGH-GRADE MARIJUANA IN ARIZONA

ıe information which follows points strongly to the conclusion ıat Arizona is experiencing an increasing level of marijuana ıltivation, and that sinsemilla is by far the predominant variety ırrently being encountered. (Refer to ACISA regional map included.)

Region I

Maricopa County, the State's most highly populated area, reports limited incidence of growing marijuana, mostly in greenhouses and in citrus groves. The density of the populace is not conducive to cultivation operations of significant proportion.

Region II

Reports seizure of approximately 10,500 plants in Mohave County in two incidents investigated in April and May, 1983. Currently under surveillance and investigation are several small plots under cultivation. La Paz County has experienced large cultivation operations in the past. Recently one operator was arrested with 600 pounds. Also several small cultivation locations are currently under surveillance in La Paz County. Greenhouse and garden plots are occasionally encountered in that county.

Region III

It is estimated that in Coconino And Yavapai Counties, approximately 5,000 growing marijuana plants have been seized from approximately 20 fields and greenhouse within the last year (mostly in Yavapai County). It is estimated by local law enforcement sources that this figure comprises about 15%-20% of the total cultivation activities in these two counties. It is also estimated that 20% of marijuana is used locally in areas where grown and the rest is sold commercially to larger metropolitan areas. Region III, with its vast, remote areas with ample water and minimal law enforcement personnel, will continue to be one of Arizona's main producers of "home grown" marijuana.

Region IV

Region IV is believed to be a primary target area for marijuana cultivation on a major scale due to the remoteness of the area, the excellent climate and fertile soil which contributes to its popularity with illicit growers. In the past year numerous major cultivation sites were discovered in Gila, Pinal, Graham, Apache and Navajo Counties (5 of 6 counties in the region).

Region V

Law enforcement agencies in the counties of Cochise, Pima, Santa Cruz and Yuma, report that over the past five years, their departments have investigated numerous cases involving the cultivation and growth of small quantities of marijuana plants which were mostly planted for personal use by growers. There have, however, been incidents of cultivation for commercial use. Large seizures have occurred in Cochise and Pima Counties. Several large marijuana fields were seized recently along the San Pedro River in Southeast Arizona. This area is popular due to rough terrain and the ready availability of a water source.

Problems Encountered by Law Enforcement

Arizona law enforcement agencies have identified several problems they encounter in their efforts to curtail illicit cultivation of marijuana. Among these are:

1) The lack of funds to buy information from confidential sources;
2) the lack of manpower to devote to long hours of surveillance;
3) the unavailability of aircraft and pilots to conduct air surveillance and photography missions;

4) the lack of 4-wheel drive vehicles to transverse rough terrain and access cultivation locations;
5) the lack of radio equipment for communicating in rough terrain;
6) the lack of surveillance equipment, nightscopes, etc.; and
7) the lack of proper training for officers assigned to remote areas.

It is not uncommon for the marijuana cultivation area to be discovered but no arrests made due to improper surveillance tactics.

Types of Marijuana Encountered

The most common variety of marijuana currently being encountered through illicit cultivation in Arizona is Sinsemilla. High grade Mexican and Afghan varieties have also been seized. The trend toward the illicit cultivation of Sinsemilla is indicative of an increasing level of sophistication on the part of the growers. The increase of these incidents in Arizona has been credited in part to the spraying of paraquat on the marijuana fields by Mexican authorities.

Marketing

Some marketing information has been developed in Region IV indicating possible major quantity sales to the Northeastern United States and Canada. No other marketing information has surfaced to date in our other four regions.

Incidents of Violence

Some detection equipment to alert growers has been encountered at cultivation sites. There have been several incidents where various types of weapons have been seized at greenhouses, in fields and in homes.

In Region IV a tendency toward increased violence has been noted. During the past two years at least one homicide occurred at a cultivation site near Roosevelt Lake in Central Arizona. Cultivators have been noted to carry firearms in over 50% of the surveilled cases.

Recently, an Arizona Department of Public Safety helicopter was fired upon and hit by rifle fire from a self-proclaimed mercenary who had been hired to protect an illicit field of marijuana. Current information sources indicate a number of growers are, or will be, using "booby traps" to protect their fields.

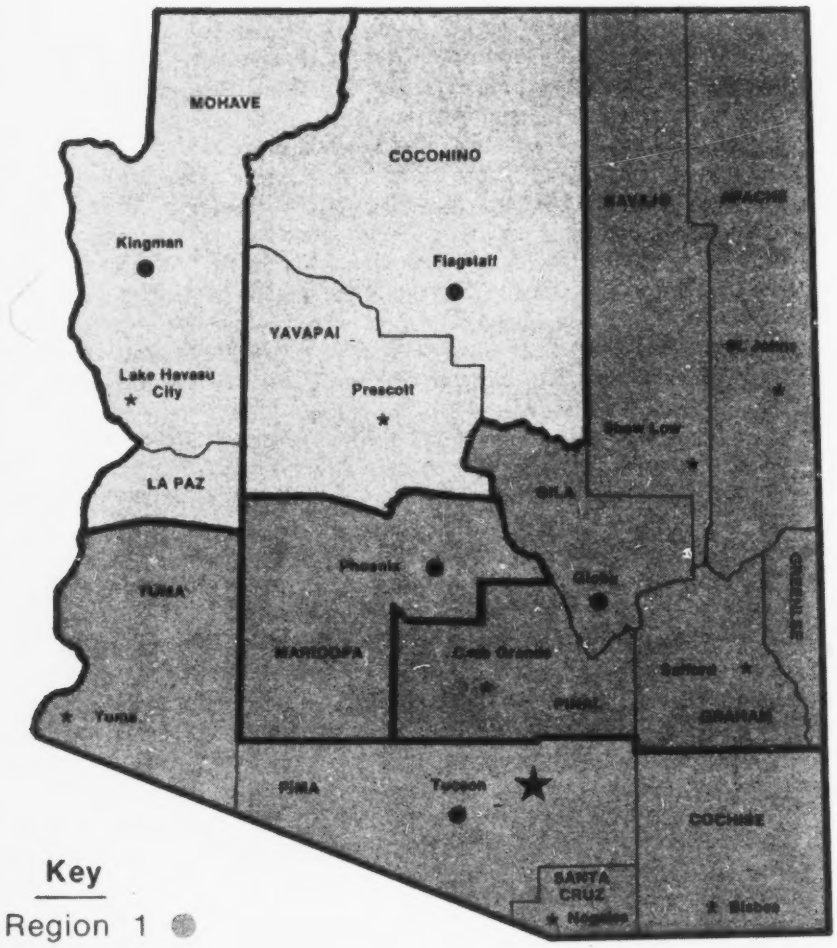
Summary

The information received from Arizona law enforcement agencies strongly indicates there is an increasing problem of marijuana cultivation within the borders of the State. Arizona agencies are aware of this problem and are taking measures to retard its growth.

There is a severe need for additional resources such as money, manpower, training and sophisticated equipment. On the working level, there is a great deal of cooperation between local authorities, however, there is a need for a more coordinated effort on the part of law enforcement administrators at the federal and state levels. This would permit additional resources to be assigned to assist local authorities in enhancing their effectiveness in combating the illicit activities surrounding the growth and cultivation of marijuana in Arizona.

ACISA

Five Regional Divisions



Key

Region 1
Region 2
Region 3
Region 4
Region 5

★ Agency Headquarters
● Regional Supervisors
* Resident Agents

Mr. CHAPPIE. Mr. Hamilton.

TESTIMONY OF BOB HAMILTON, DEPUTY ATTORNEY GENERAL, OREGON

Mr. HAMILTON. Congressman Chappie, Congressman Lewis, on behalf of the attorney general of Oregon, Dave Frohnmayer, I would indicate to you how much we appreciate the opportunity to be here and how we deeply appreciate your interest in this particular problem.

I am pleased to be accompanied here today by Maj. Doyle Watson of the Oregon State Police, representing the superintendent of the Oregon State Police, John Williams, and Veral Tarno, sheriff of Coos County, Oreg., in whose jurisdiction is a major port in Oregon, Coos Bay, and by an investigator from our office, Richard Roberts, who has experience in the marihuana fields of Oregon.

Enforcement of laws relating to narcotics is Oregon's largest crime problem. A vast percentage of that problem is the illicit cultivation of marihuana. We, not to reiterate what other members of the panel, have said, do question to some extent the percentage that the domestic cultivation of marihuana supplies only 10 to 20 percent of the national market.

Our experience in Oregon causes us to question that, and it causes us to question that the percentage may be as high as 50 percent. It has been our experience that Oregon's marihuana product is very, very good. We have evidence that it has been traded in Florida two for one for Colombian marihuana. We know that it has been traded into national narcotics trafficking networks in this country for quaaludes and for cocaine.

The potency of the marihuana being produced in Oregon, according to our laboratories, is as high as 6 percent THC. This far exceeds the 1 percent, the 3 percent, that we were experiencing just a few years ago.

I have been advised that 6-percent THC content is close to hashish in potency, and that one marihuana cigarette of such potency can cause a person to be in a position equivalent to that of being a drunk driver.

We were also experiencing, and have for a year or so, a shift of significant proportions from outdoor growing to indoor growing. Using hydroponic techniques, Hallide lights, the artificial ingestion of CO_2 into controlled atmospheres, individuals have created in Oregon what we believe is the state of the art in marihuana growing in this country.

We have supplied the committee with a notebook, unfortunately only one copy, and in it is depicted what we call the 90-day wonder. It is very, very high-grade marihuana. It can be grown indoors to maturity in 90 days. What we are facing in Oregon is no longer just an outdoor crop, no longer just a seasonal crop, but a year-round problem. The sale of hallide lights in Oregon has quadrupled in the last year or so in support of that. We well recognize in Oregon that the debate on marihuana is no longer simply about two adults smoking a roach. It is big, big business. It is big business in our State.

The picture in Oregon is, and unfortunately in an unseemly way, we tend to rely on statistics from the growers themselves, that the Oregon crop may be worth as much as $500 million.

In perspective, that means that our largest crop, wheat totaling $297 million, is exceeded by $200 million. It is a significant problem. We believe that 80 percent of our crop—and this is a guesstimate—leaves the State. Obviously, all of the $500 million does not necessarily come into the State because we believe much of the crop is grown in Oregon on consignment, probably primarily from California.

We have all of the accompanying violence that I am sure you have been made privy to which is occurring in California. We have serious concerns about our beautiful forest lands, about our wilderness areas. Last year for the first time in the history of our State, prior to the general deer season, the Oregon State Police issued a warning to deer hunters to be aware of the marihuana growers, of their boobytraps, of the possibility that there will be a grower war right in their midst. These types of things have been well documented and actually they are old hat in our State.

Law enforcement reaction to this is modest at best, and unfortunately in Oregon, complicating this problem—and I hope I am not prevailing too much on the committee to mention air and marine smuggling, but as your efforts in Florida and in the Gulf States and South America increase there are dramatic effects on us. Because not only do we have the marihuana problem outdoors and indoors, but recently we have documented 250 air and marine smugglers who are now present in Oregon, who have come to Oregon from California and Florida. This places tremendous pressure upon the law enforcement community at the State and Federal levels in Oregon.

The law enforcement reaction—and if I could make a pitch, gentlemen, on behalf of a program that we have been very pleased with, the Western States Information Network. WSIN is funded in a line item in the Department of Justice budget, and I say this with some hesitancy because I understand there may be some disagreement at the highest level of the Department of Justice that it is not cost-effective—but it is a cost-effective program in Oregon. We, as an agency, use it a great deal. They have been very, very helpful. It is the single resource available to many local law enforcement agencies in Oregon. We urge you, beg you, to give consideration to the continuation of the WSIN program and its enhancement.

Included within the provided documents are some statistics from a monetary standpoint, on the law enforcement effort in Oregon. In 1983 it is our understanding that DEA provided $75,000 to certain targeted counties to eradicate marihuana. There is a map of the State of Oregon on the east wall depicting the targeted counties—they are primarily on the coast and inland just north of California. There were six counties targeted the year before. Gentlemen, I believe that there is a bleed-over into Oregon of all of the very dramatic activity in California. The well's filling up, the water glass is filling up, the targeted counties are a classic example.

We believe that we received in 1983 through the BLM and the U.S. Forest Service perhaps $20,000. This money is very welcome, it is very needed, very much appreciated, and it is wholly inadequate.

Totaling these funds and the funds provided from State and local government, we believe that we have brought a total of $245,000 to bear on the marihuana industry in Oregon. Since we have 61 million acres of land—60 percent of the land is public land—2,600,000 population, and we have by our basic guesstimates 30 law enforcement officers in the State earmarked to work this problem, 20,000 to 30,000 people growing commercially and not just in their back yards, a commercial crop of $500 million, so we have one narcotics officer for every 88,000 Oregonians, one narcotics officer for every 2 million acres, one narcotics officer for every 1,000 growers.

The Federal strike forces that have been mentioned have been appreciated. They are working in Oregon. We have excellent cooperation among all law enforcement agencies in Oregon. However, their efforts—I understand, there are 12—3 in California, with 1 in California that is responsible for the Northwest—are not impacting the marihuana industry. They are working very hard, they are doing the best they can, but they are working higher-level narcotics dealers.

We have been aware in Oregon for some time of a gap, and I think this is a good example of it. The Federal efforts, because of priorities, come down from the top. The pittance of local efforts attempt to come up from the bottom, and the gap in the middle is where most of our major marihuana cultivators are operating. It is a significant gap, and the cultivators are significant criminals.

The typical marihuana cultivator in Oregon is probably from California. He may be a front for other interests outside the State. He is often involved with other narcotics. We have seen hundreds of opium poppies growing amongst the marihuana fields, as you have indicated you saw the other day, over the last year or so.

Three years ago we were advised that opium poppies would not grow in Oregon. They were wrong; they do grow in Oregon. We see the manufacturing or cultivation of mushrooms. We see these individuals involved in cocaine, in Tai sticks, and we see a relationship between air and marine smuggling and our marihuana industry.

We would like to be able, if we had the resources, to establish a statewide task force to combat the marihuana industry. We think that we could establish one with a mere 2 percent of the value of our crop. We think we are eradicating 6 to 10 percent of what is there now, we think that we could increase that dramatically. That statistic is a soft, soft statistic. We are embarrassed to tell you that other than eradicating the growing plants, there has never been an interdiction of marihuana leaving the State of Oregon. It is simply because of lack of resources.

We need simple things, we need an airplane, we need a helicopter. We need a couple of Lorans to navigate—to speed up the location of the fields for court processes, four-wheel-drive trucks. We need funds to help dispose of this vast quantity of contraband, we need computers to help with drafting court documents and keeping track of the fields, we need funds on top of the State funds we have had in the nature of seed money to bring our very, very excellent RICO statute to bear on the marihuana cultivator.

We have had the RICO statute for 2 years. We have filed two cases seeking forfeiture of real property. Both are pending. The total staff to implement RICO is myself and two investigators. We need money for overtime and we now think we need to work year-round because marihuana is no longer a seasonal crop.

In light of this awesome problem, the law enforcement community in Oregon remains pretty plucky. We think that there is the resolve and the will to solve this problem, and we would appreciate any assistance. Thank you.

[Mr. Frohnmayer's prepared statement presented by Mr. Hamilton:]

PREPARED STATEMENT OF DAVE FROHNMAYER, ATTORNEY GENERAL OF OREGON, PRESENTED BY BOB HAMILTON, DEPUTY ATTORNEY GENERAL

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June 13, 1983

The Honorable Charles B. Rangel
Chairman
U.S. House of Representatives
Select Committee On
Narcotics Abuse and Control
Room H2-234
House Office Building Annex 2
Washington, D.C. 20515

Dear Representative Rangel:

Thank you for your letter of May 6, 1983. I am extremely pleased that your committee has dedicated a major portion of its agenda to the problem of marijuana trafficking in the United States. I consider this a criminal activity of major proportions in the State of Oregon and one which is worthy of priority attention by enforcement agencies at the local, state and federal levels.

It is the consensus of the law enforcement experts in Oregon who are involved in the enforcement of controlled substance laws that the 10% figure you mention in your letter with respect to the percentage of high-grade marijuana cultivated in the United States as compared to the total marijuana traffic in this country each year is extremely conservative. It is the belief of the Oregon narcotics officers that locally grown marijuana represents well over 50% of the domestic supply. Intelligence from the source countries indicates that many of the South American marijuana traffickers have changed from cannabis to cocaine because the bottom has dropped out of the marijuana crop due to high production levels in this country. The cannabis produced domestically is now a more superior product than that grown in Mexico and Columbia, with the net result being a larger proportion of the American dollar being spent on the domestic sinsemilla crop.

In Oregon, the Drug Enforcement Administration is offering limited funding and support to local and state law enforcement agencies in their eradication efforts. However, even though this additional funding is welcome, the money is still woefully inadequate in terms of enabling law enforcement to successfully combat

this growing menace. In the fiscal year of 1982, $66,000 in federal funds was allocated to the State of Oregon. This funding went to Drug Enforcement Administration costs, training enforcement officers in aircraft spotting techniques and helping to defray the cost to counties in overtime pay on their eradication projects. The majority of that federal allocation went to the six southern counties of Lane, Coos, Curry, Josephine, Jackson and Douglas. The actual funds expended by counties who were involved in eradication efforts were far greater than the $66,000 provided by the federal government.

The need for expanded local efforts in this area is meeting head on with tremendous budget difficulties being encountered by municipal, county and state governments. Many of the counties throughout the state have suffered reductions in their work force - some as high as 50%. Those officers who were available in 1981 and 1982 on eradication efforts will not be available in 1983. The Oregon State Police were given some additional resources by our 1983 legislature, however, the increase will only amount to one or two individuals per county and will be substantially less than that needed to adequately meet the problem.

It is difficult to estimate the total value of the marijuana crop produced within the State of Oregon. NORML, which is a lobbyist group attempting to legalize marijuana, estimates the 1982 Oregon marijuana crop at $500,000,000. This figure is felt by many in the criminal justice field to be very conservative. During the same period of time, Oregon's production of wheat was $297,000,000 underlining the immensity of the marijuana problem in this state. Local intelligence sources indicate that over 80% of the marijuana produced within Oregon leaves this state as a cash crop and is not grown for personal consumption.

In the past, marijuana was known as a "kiddy drug." Over the years, the THC content has risen markedly in domestic cannabis. Marijuana cigarettes smoked by one individual will place that individual at a level 4 intoxication which will result in a slurring of speech, impaired coordination, substantially slowed reflexes and slowing down of the bodily functions. At level 4, a person would be considered too intoxicated to operate a motor vehicle.

Much of the problem attacked during the past five years has been the outdoor growing of marijuana. Recently the hydroponic or indoor growing operations have been on the rise. Current local intelligence reveals a new type of the sinsemilla variety of marijuana, called the "90-day wonder." This plant is the

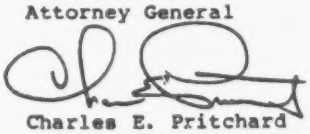
result of cross breeding and, as the name implies, takes only 90 days from germination to maturity. The plant has a very high THC content and sells on the open market, wholesale, for $3,500 per pound. Outdoor growing and cultivation has its own difficulties for law enforcement in locating and accessing the crop for destruction. However, indoor operations are even more difficult to discover and present a growing direction for illicit drug cultivators.

For your information, I have included with this letter 1981 and 1982 marijuana cultivation reports. Listed on these reports is another problem which must be considered when dealing with the marijuana issue, that is, the use of booby traps, weapons and violence in connection with the protection by the illicit growers of their marijuana fields. There were numerous incidents in the State of Oregon in 1982 of violence connected with illicit growing and cultivation operations, including at least three attempted homicides, a number of kidnappings, and injuries to citizens who unwittingly entered a field and happened upon a booby trap. Intelligence sources indicate that in 1983 in certain areas of Oregon, growers will resist law enforcement with deadly physical force, if necessary, rather than have their crops seized. Should this occur, the growing and cultivation problems within the State of Oregon will take on a new complexion.

As is evident from this letter, I consider the marijuana problem to be at a critical level in this state. I believe that when you conduct your hearings to evaluate the marijuana cultivation in this country, you will find that it is substantially more serious than initially believed. I certainly welcome your committee to the State of Oregon and believe it is a very positive step in the direction of resolving this problem once and for all. If this office can be of any assistance whatsoever, please call on us.

Yours very truly,

DAVE FROHNMAYER
Attorney General



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enclosure

By: Charles E. Pritchard
Assistant Attorney General

OREGON MARIJUANA CULTIVATION

1981

Participating Counties	Number of Reports	Number of Crops	Number of Plants	Seizures of Processed Marijuana	Size of Plants	Weight of Plants	Money Seized	Suspects	Weapons	Other Narcotics
Coos	10	14	1197	6	2' - 12'	N/R	$1800	14	Rifles(5) Shotguns(3) Booby Traps	Opium Poppies(1) Mescaline(1) Peyote(1) Cocaine(2) Hashish(1)
Curry	24	25	4883	7	1' - 16'	1498#	$ 375	38	Rifles(3) Pistols(3) Chemicals for making explosives	N/R
Douglas	10	20	2494	4	4' - 18'	N/R	$ 408	25	Rifles(3) Pistols(4) Shotguns(1)	Cocaine(2) Hashish Oil(1) Hashish(1) Amphetamines(1) Opium Poppies(2)
Jackson	31	47	5922	11	3" - 15'	509#	N/R	48	Rifles(8) Pistols(6) Shotguns(4)	Peyote Buttons(1) Psilocybin Mushrooms(1)
Josephine	93	190	7682	47	1/4" - 16'	N/R	$ 215	162	Amphetamines(1) Pistols(13) Shotguns(23)	Hashish(2) Psilocybin Mushrooms(1)
TOTAL	168	296	22178	75	-----	2007#	$2798	287	----------	----------

N/R = None Reported

OREGON MARIJUANA CULTIVATION

1982

Participating Counties	Number of Reports	Number of Crops	Number of Plants	Suspects	Weapons	Other Narcotics
Lane	39	75	4360	53	Rifles(13) Shotguns(3) Pistols(9) Pungi Stakes(2) Shotgun shell booby traps(1) Guard Dogs(1)	Hashish(1) Hash Oil(1) Peyote(2) Psilocybin Mushrooms(1) Opium Poppy Pods(2)
Klamath	1	1	24	1	None	None
Marion	3	3	629	4	Rifles(4) Shotguns(1) Pistols(5)	Cocaine(1)
Douglas	30	50	3913	34	Rifles(13) Shotguns(6) Pistols(4) Dogs(1) Booby Traps(12 gauge shotgun)	Methamphetamine(1) LSD(1) Hashish(1) Hash Oil(1) Psilocybin Mushrooms(1)
Josephine	194	119	8407	103	Rifles(2)	Hash Oil(1) Speed(1)
Coos	1	1	9	2	None	None
Jackson	72	97	9196	100	Rifles(17) Shotgun(6) Pistols(7) Knives(2) Dogs(1)	LSD(2) Hashish(2) Psilocybin Mushrooms(1)
Lincoln	1	1	88	1	N/R	N/R
Baker	2	2	48	4	N/R	N/R
Grant	1	1	52	2	N/R	N/R
Curry	10	14	1187	3	N/R	N/R
Linn	13	13	1433	23	Rifles(4) Shotguns(2) Pistols(3)	Hashish(1)
Clatsop	1	1	28	2	Rifles(1) Pistols(3)	None
	372*	383*	29723*	339*	*Figures are approximately 50-100% under reported.	

N/R = None Reported

Mr. CHAPPIE. Thank you.

Mr. Lewis.

Mr. LEWIS. Go ahead, Mr. Chairman.

Mr. CHAPPIE. I noted yesterday the testimony of Supervisor Sparks from Humboldt County, and she really struck a chord in that she related to the fear aspect in the local communities.

A comment to the effect that perhaps much of the seed money may not be coming from "organized crime" but from within the community, from some of the leadership within the community. That frightens me. We occasionally and periodically read instances of politicians at high levels, outstanding citizens in the community, being involved in this operation, and I would ask if any of you, if you have any observations. We continue to dwell on the Hell's Angels, the Mafia, whatever, the traffic within the prisons, the fact that it is virtually uncontrollable there. And I just wonder if you have had any firsthand experience of this problem in your States.

Mr. JONES. We have not had any of that experience in Idaho. We have had a number of farmers who are pressed against the wall and cannot seem to find any type of crop to grow that they can make any money on, and in some areas a limited number of those people have gone into marihuana cultivation. I think that there is a small number in our State of public officials or leaders in the community who may become involved, but it is not the normal instance.

In our State it is primarily people from out of State. We had 27 arrests last year. Most of the seizures were not accompanied with arrests, they were just in fields that were unoccupied and nobody was around to arrest. Of the 27 people who were arrested, 18 of them had contacts out of the State or were from out of State.

So it is primarily a problem of people coming in from out of State. Maybe where you have had industries established for a longer time, you do have more local involvement.

Mr. NAVARRETE. I would echo Mr. Jones' remarks with a couple of speculations which would support that statement. April 19 we seized 8,000 plants in an area close to the Colorado River in Mojave County. The perpetrator in this case is a repeat offender; he is a farmer. Last year we seized something less than that amount on his farm, and he was tried and convicted. He is currently on appeal and was recently arrested with 8,000 plants on his property.

Close thereto we seized in May 2,500 plants, also attributed to a local farmer. However, I would suggest to you there is not any strong evidence to support your businessman, your entrepreneur, so to speak, other than the farmer, at least within Arizona.

Mr. CHAPPIE. OK

Mr. HAMILTON. It is difficult to answer, Congressman, because our operations to date have been reactive, with additional efforts we could. If we were able to become proactive, we might become involved in those types of things because those are the types of things you have to be proactive to become involved in, in the first place.

We suspect it and we particularly suspect it when analyzed with any understanding of organized crime and the volume of money involved. It is definitely down the road unless the problem is solved right now. It is the next evolution, if it is not going on already.

Mr. CHAPPIE. Thank you.

Mr. Lewis.

Mr. LEWIS. In yesterday's testimony, the voice that came from California law enforcement people, seemed to indicate rather directly that they felt that fundamental enforcement responsibility should lie at the county level, supplemented by the State and supplemented ideally with coordination of Federal agencies.

Am I now hearing a different voice from this panel? It sounds to me as though you are saying in frustration that we don't have the dollars to do any more than go out and destroy growing plants. Maybe we need some kind of direction, involvement, and responsibility from the Federal level.

Is that an accurate reflection of your view, or would you echo what they said yesterday?

Mr. JONES. Congressman, I would say to an extent that is true. I think that we need to have more Federal manpower out in the field. That is not the entire answer. I think that from the standpoint of my State, we would like to see the State carrying the greatest portion of the burden and directing the marihuana eradication effort with the cooperation of the Federal authorities, with greater commitment of manpower from the Federal authorities, with a greater commitment of financial resources through the Drug Enforcement Administration to carry out Federal responsibility, and use the State personnel as sort of the nucleus to coordinate the activities of Federal authorities in the State and to obtain the assistance and cooperation of the local authorities.

But I think that the effort to give the type of direction that I think needs to be given should be focused through the State authorities with the cooperation and assistance of the Federal and local authorities.

Mr. LEWIS. Any other comments?

Mr. NAVARRETE. Mr. Chairman, Congressman Lewis, I think it would be a grave mistake to not include State and local authorities in this effort. On behalf of the State of Arizona, we would welcome Federal assistance in every way, but it is essential we remain sensitive to the local law enforcement people. I think that was evidenced in the situation yesterday. Local law enforcement was involved, it was a cooperative effort. It was well done, and I think that to consider any other approach would be a grave error.

Mr. LEWIS. Could you tell me if any of the States before us have in a formal and comprehensive way made requests of the Federal Government, the Congress or agencies in terms of a proposed program, a proposed cooperative effort, and specifically a volunteer of dollars? In other words, have you asked for the money and the help in a formal way?

Mr. HAMILTON. I don't believe we have in any formal way, and if I could address that prior question also, just briefly.

We have excellent cooperation with the Federal agencies in Oregon and all law enforcement in Oregon. I think we are very fortunate. We think we need equipment and money and assistance from the Federal Government, not necessarily personnel per se. We feel it needs to be coordinated at the State level with the cooperation and blessing of the sheriffs and the chiefs around the State,

but we don't necessarily feel that the automatic answer is more Federal agents, although they would be very welcome.

We would like a shot at the problem with some money and some equipment, and we think we could impact it.

Mr. JONES. Congressman, in answer to your question, we have not submitted any formalized requests, and that is why during an earlier part of my administration in Idaho, it is very welcome to have this field hearing scheduled out here to give us an opportunity to tell you the types of problems that I have seen during the last 6 months and to see if we can't initiate an effort to get a little more help from the Federal level. And I intend to followup and work with our delegation back in Washington to see if we can't find some way of increasing the Federal involvement in Idaho in the marihuana eradication effort, to increase the Federal funding to carry out the Federal responsibility.

Mr. LEWIS. Frankly, it seems to me that with States like the ones represented here, with such large land holdings by the Federal Government and its involvement, it would be a mistake not to recognize the potential power we have between delegations involved in just our four States, and yet I don't think the average member has this problem on a very high priority level. That kind of cooperation alone could be very meaningful in terms of increasing the Federal intensity of involvement.

Mr. NAVARRETE. Chairman Chappie, Mr. Lewis, our involvement took the form of a request at the planning stages of Presidential task forces. We felt that could very well be a vehicle through which we could attack the problem. Unfortunately, the State of Arizona was not involved in the planning process of the Presidential task forces, and I think that is an illustration of what you are hearing from us. We want the Federal help, but we also want to become involved. We strongly believe that local law enforcement needs to be involved.

The same pattern appears to be taking place with the implementation and the institution of national narcotic boards of interdiction, which is targeting the illicit narcotic problem. As you know, our problem is compounded, as it is in California, by the border that we share with Mexico. So that addresses another front to this effort.

I am suggesting to you that we should avoid any additional task forces. What I am suggesting is that we refine some already in place. Perhaps we could refine those to more adequately represent the needs of local law enforcement or the local community.

Mr. CHAPPIE. Have any of your gentlemen representing your States worked with California? I recognize that there is a great difference in terms of numbers as relates to population. Perhaps California does have additional resources, hopefully based on its population and its wealth.

Have there been cooperative efforts between the attorney generals of these four States? It was my sense yesterday and in the recent past that the emphasis in California seems to be primarily at the local level, in that the sheriff is the law enforcement official of the county, then through cooperation with the State department of narcotics enforcement and then at the next level with the Feds.

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I sense a different reaction from each of your States. One gentleman is saying we need more Feds, someone else is saying by all means we should have cooperation; however, the State should maintain authority. And I am getting mixed messages here. Perhaps because of my background in local government, I kind of hang with the sheriff saying he is here, he is on the job, he knows where the actors are and what the resources are, and with a well-coordinated plan, then he could call on the resources of the various State and Federal agencies. And I certainly, for one, want to go back with a clear message to my colleagues on that committee, and I know that Congressman Lewis has essentially the same problem in the area that he represents.

I would like some reaction to that point, if I may.

Mr. NAVARRETE. Mr. Chairman, on behalf of the State of Arizona, let me make it absolutely clear that we strongly support the direct involvement of the local law enforcement officials, and I echo your feelings with respect to the involvement of the local sheriff. He is the primary law enforcement officer of that county, and we must remain sensitive to that.

That is not to say that we cannot offer him whatever support services he needs, and I will be quite blunt, there are times when he doesn't even recognize the kind of support services that he needs. And I think we have to stand ready to provide him with that information also.

With respect to your question about cooperation between Arizona and California, we work very closely on the intelligence level with the Department of Justice, Los Angeles Police Department, with some Federal task forces based out of Los Angeles and San Francisco, and to a great extent, with WSIN which was mentioned earlier. So that cooperative effort is there.

We also work together on operational needs with respect to the narcotics problem. There is a task force at the county level that is being created through the joint efforts of the sheriff of Mojave County, the sheriff of San Bernardino County, and one other local law enforcement official, and we are involved in that. So I don't think there is a physical wall there between the two States at all.

As a matter of fact, we even extend a cooperative effort into Mexico. Informally, of course, but, nevertheless, it is essential. It is essential that our efforts not stop at a border whether it is an international border or a State border.

Mr. CHAPPIE. Any further comment?

Mr. HAMILTON. We use WSIN, and I would like to underline that again. They do a good job and they are one of the major resources available to the local sheriff, the local city police chief, and other than that, I would reiterate that the local authorities must be involved. The violence aspect of it directly involves them, they are involved in it. The people are concerned about the violence. The violence is the primary concern of our attorney general of and I think everyone in this effort.

We can talk about the money and everything else, but when it gets down to the violence and the danger in our woods and in our forests, it is everyone's concern.

Mr. LEWIS. Mr. Chairman.

Mr. CHAPPIE. Mr. Lewis.

Mr. LEWIS. At the risk of being provocative, let me see if I can get this panel and others to respond to an entirely different approach to this question.

Mr. Jones, you have talked about the gap in Federal investigation lightly touching at the upper level on work being done on organized crime, et cetera, with action at the local level being, at best, a beginning effort in terms of dollar availability, personnel, et cetera. I was reminded yesterday, as we flew over these tens of thousands of square miles and huge open territories, of the days of Prohibition and every time the FBI, with a front-page news story would pick up a still somewhere, somebody was setting up four more down the road.

Some people would suggest that this problem is one that we are not going to get a handle on. They suggest that if you decriminalize the substance and control distribution and make it available, that you might very well kill two birds with one stone and collect a lot of taxes in the meanwhile.

I guess you know the thrust of that dialog by some possibly even subversive elements in our society. Would you react to the question of decriminalizing, and is the war so intense that you are ready to give up?

Mr. JONES. Well, Congressman Lewis, I would certainly not support decriminalizing marihuana, and I don't think that the war is to a point where we can throw up our hands and say we are going to give up.

I think that my State's effort is in its essentially beginning stages, and we have had greater success, and I think as we devote more resources to it, we are going to get somewhat of a handle on it. And, hopefully, if we can react with not only better State efforts to eradicate the marihuana in our State with additional resources from the Federal Government, I think we can get a handle on it before it becomes really a major problem. We don't think that we have reached the point where we are going to just have to throw up our hands and say, "Ah, heck, it is too difficult, so let's just quit now."

Mr. LEWIS. Have you experienced the 90-day wonder that Mr. Hamilton mentioned?

Mr. JONES. We have experienced that recently in the Boise area. There were a couple of seizures made within the last year, very sophisticated operations, in the city of Boise. So it is starting to happen there, too.

Mr. NAVARRETE. Obviously, we cannot support the legalization of marihuana. With respect to war, on the contrary, I think that our proactive intelligence efforts would support the fact that, if anything, the current situation has reinspired the law enforcement community, so to speak. It is not a matter of not wanting to; it is a matter of not having all the resources necessary to fulfill that need or requirement within the State.

Mr. LEWIS. I could not help but note, as we were traveling yesterday, the sizable number of people who represent the State. That is the working media. I heard the question asked maybe six dozen times during the day, as though there was almost an empathy towards this kind of dialog. Do we have enough WSIN communication networks, do we have enough support for this kind of enforce-

ment, this kind of effort, to allow us to begin to waste the time and money necessary?

Mr. HAMILTON. If I could possibly answer both? I think my first reaction, and I think probably that of our attorney general is that most of the arguments have been made on one side or the other. I guess, it now boils down to which one do you believe?

My first reaction, I think, involves young people. With the potency of the products coming out now, I don't care what you do, if you legalize it, you are going to want to draw the line someplace regarding its availability to young people. And that is a hard line to draw, and that is an impossible line to enforce.

So we are very much against legalization. It is very frustrating to be asked to walk away when you haven't been to bat. We don't feel we have been to bat, and we would like to try before we walk away.

Mr. JONES. Congressman, I think one of the problems, and we have run into it in getting inadequate amounts of resources in Idaho, and we certainly don't have the type of money for the drug enforcement effort in Idaho that we would like to have. But the problem seems to be in educating the legislators as to the seriousness of the problem, and I think we are starting to get a handle on that because we did convince the State legislature, during a time when we have a very serious financial problem in the State, to increase the funding for this type of effort.

And I think that is the type of difficulty you have, both at the State level, and I think you mentioned it as to the feeling that maybe existed amongst your colleagues back in Washington. I don't think that people are adequately informed of the nature of the problem and the extent of it, and I think that as the educational effort goes on, I think we can get those additional resources so we can be more effective.

Mr. CHAPPIE. Gentlemen, I certainly want to express our appreciation for your efforts. Testimony was well prepared and much appreciated. Thank you.

Mr. HAMILTON. Thank you.

Mr. LEWIS. Mr. Chairman, before you leave, I wonder if you would submit for the record an area that is difficult to get a handle on. I am interested in knowing what your people are telling you about the direct connection between growers and traffickers, the way in which the funding is provided for those very sophisticated operations. Do you see a network that overlaps, and what kind of effort needs to be increased, what kind of funding ought to be involved in attempting to address that?

Mr. HAMILTON. In Oregon, we believe that there is a great amount of marihuana grown that is on consignment from California.

Mr. LEWIS. Involving perhaps organized criminal——

Mr. HAMILTON. It is difficult because we haven't been into it far enough, but we have significant leads that biker gangs, other species of organized crimes, are invoved in the funding and——

Mr. LEWIS. Yet you indicated not one interdiction of traffic across the border?

Mr. HAMILTON. None.

Mr. CHAPPIE. Thank you again, gentlemen.

Mr. NAVARRETE. We also have evidence to support the consignment theory, which is rather unique, I think, and it is something that is new on the market.

With respect to the organization, we must learn to recognize that when we speak of organized crime in the law enforcement community, we are not talking about the character that was made so famous in the movie, "The Godfather"; we are talking about any conspiracy-type effort that would involve some degree of cooperation, if you will, to that extent.

So, yes, there is some organization, especially in the larger plots, the farmlike operations.

Mr. LEWIS. A farmer with 2,500 plants has got to have a market.

Mr. NAVARRETE. How about one with 8,000? That is hardly for personal use.

Mr. JONES. Congressman, I would essentially echo that. I think most of ours is destined for California on consignment.

Mr. LEWIS. I think the Federal Government is responsible for interstate criminal activity; aren't they?

Mr. JONES. Yes.

Mr. CHAPPIE. Gentlemen, before you depart, if you would be kind enough to submit for the record written documentation as to specifically what your individual States feel would be necessary in terms of dollars, in terms of added resources, whatever they may be.

[See Submission for Record on p. 253.]

I note that one State wants equipment, another wants more personnel, and I think it would be beneficial to this committee if we had some specific figures as to particularly what you are looking for.

Mr. HAMILTON. Be delighted.

Mr. CHAPPIE. We will keep the record open for several days to receive that testimony.

Mr. NAVARRETE. Thank you.

Mr. CHAPPIE. Thank you again.

Our next panel will be comprised of the chief of the California Bureau of Narcotic Enforcement, Mr. Helsley; Mr. Krueger, representing the Drug Enforcement Administration; and Mr. Byrne, Director of the Cannabis Section. If you gentlemen are ready?

Mr. Byrne, would you proceed, please.

TESTIMONY OF THOMAS G. BYRNE, CHIEF, CANNABIS INVESTIGATIONS SECTION, DRUG ENFORCEMENT ADMINISTRATION

Mr. BYRNE. Mr. Chairman, Congressman Lewis, I am pleased to appear before you to discuss DEA's effort with State and local authorities to count or the illicit cultivation of cannabis in the United States.

The United States is facing a new challenge in narcotics law enforcement. That is the rapidly escalating problem of illicit cannabis cultivation. The seriousness of this problem can be judged both in terms of the quality and quantity of marihuana produced domestically.

From the standpoint of quality, cultivation of sinsemilla, a more potent cannabis product, has increased substantially in the United States in recent years.

In terms of quantity, State and local authorities reported to DEA that they have destroyed in excess of 2½ million cannabis plants during the 1982 season. Compared to the accepted estimate for the 1981 domestic marihuana production, we now believe that more marihuana was eradicated in 1982 than was previously believed to exist.

There is an extremely broad cross-section of Americans engaged in cannabis cultivation. Growers range from counterculture holdouts to former moonshiners; from out-of-work lumberjacks to legitimate farmers and to the marihuana user who wants to try to grow his own.

Other than certain outlaw motorcycle gangs, we have seen no single group, such as organized crime elements, emerging in control of a significant part of this market. Our strategy has been to provide support on a varying scale, depending upon the perceived volume of cultivation in a given location.

DEA's role has been to encourage State and local efforts and to contribute training, equipment, funding, investigative, and aircraft resources to support their efforts. The 1983 planning process has been marked by an effort among all relevant agencies to coordinate their program development. Regular strategy and policy guidance sessions are conducted by the President's Special Assistant for Drug Abuse Policy, Dr. Carlton E. Turner, and we are in regular contact with the U.S. Forest Service and the Bureau of Land Management.

We also receive assistance from the Departments of State, Defense, Bureau of Alcohol, Tobacco and Firearms. The FBI is now becoming involved in the program as well.

Primary elements of our domestic eradication/suppression program can be summarized as follows: Financial assistance to help defray State expenses to eradicate marihuana, training for State and local officials in detection and eradication techniques, and prosecutor seminars to address legal issues, and a public awareness campaign including a film depicting Federal and State efforts in this area for 1983. In this regard, I am very pleased to report that Mr. Ricardo Montalban provided his very impressive talent as a narrator for the film. This is a voluntary public service contribution that deserves recognition and our gratitude.

In addition to these program elements, our Office of Science and Technology, in cooperation with the Department of Agriculture, is developing methods to assist the States, prepare for the use of herbicides to be used wherever appropriate during the 1983 season. These plans are consistent with the 1982 Federal strategy for the prevention of drug abuse and drug trafficking and are being developed in close coordination with appropriate Federal agencies.

In order to put the problem of domestic marihuana production into a broader perspective, I would like to discuss some of the obstacles faced by law enforcement in this area.

Eradication of marihuana is an extremely labor-intensive effort. Plot sites are often remote and in many States are located in steep, broken terrain. Law enforcement officers must secure the area, arrest growers found there, check for concealed traps, perform a plant count, take photographs, and process samples in response to

search warrant and evidentiary requirements. Only then can they begin the task of cutting and destroying the cannabis plants.

The plants can reach 12 to 15 feet in height and, in some circumstances, grow in groves as thick as bamboo thatches. The plants must be bundled and tied and then carried to the nearest trail or road and loaded onto trucks.

Irrigation hoses, which often run considerable distances, are buried to avoid detection, must be dug up. Other equipment, including vehicles and weapons, must be removed from the site. Seized cannabis plants must be trucked to a suitable site for burning.

As you can see, this represents an extensive use of law enforcement manpower. Cannabis cultivation in some areas allegedly has inspired locally depressed economies. Marihuana production requires tools, herbicides, fertilizers, irrigation equipment, and other financial outlays which benefit local merchants. Profits are allegedly often spent on such items as cars, homes, and luxury purchases within the community.

In a nubmer of areas, illicit marihuana production is perceived as a boon to local business and has resulted in allegedly passive community resistance to law enforcement efforts. Recent weather extremes and national disasters, such as the volcanic activity and hurricane in Hawaii, drain the resources of such elements as the National Guard, which would otherwise be highly capable of contributing significantly to the program.

Budget restrictions at the local level have resulted in personnel layoffs, which prevents sheriffs from supplying the manpower to the program which they would otherwise be able to do.

Finally, finding the means to safely destroy thousands of pounds of wet, bulky cannabis plants is a challenge for any law enforcement organization if we are to make serious inroads into the marihuana production problem in the United States, challenges that all of us in Government must face.

Members of Congress, other Government leaders, should lend their voices to help make the public more aware of the problems associated with production of marihuana and the serious health hazards of marihuana use. State Governors should be encouraged to consider using the National Guard and other State agencies for detection and suppression of marihuana production.

In addition, States should be encouraged to support the appropriate use of herbicides to effectively eradicate large marihuana plots and to reduce the prohibitive labor costs of manual eradication programs. This would have the added benefit of sending a signal of encouragement to foreign governments faced with even greater marihuana problems than our own.

Thank you.

Mr. CHAPPIE. Thank you, Mr. Byrne. Your statement in its full entirety will be entered into the record.

[Mr. Byrne's prepared statement follows:]

PREPARED STATEMENT OF THOMAS G. BYRNE, CHIEF, CANNABIS INVESTIGATIONS SECTION, DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE

Chairman Rangel, Members of the Select Committee, I am pleased to appear before you to discuss the Drug Enforcement Administration's (DEA) efforts with other Federal, state and local authorities to counter the illicit cultivation of cannabis in the United States.

Nature and Extent of the Problem

The rapidly escalating problem of illicit cannabis cultivation poses relatively new challenges to narcotics law enforcement in the United States. The seriousness of this problem can be judged in terms of the quality and the quantity of marijuana produced domestically.

From the standpoint of quality, the production of sinsemilla has increased substantially in the United States. Through the process that produces sinsemilla, a single plant can yield approximately one pound of product that has on the average a higher THC (Delta-9-Tetrahydrocannabinol) content than other types of marijuana. The quality of the marijuana produced is significant from a commercial merchandising standpoint and in terms of its potential health hazards; i.e., the higher the THC content, the more serious the health consequences associated with its use.

In terms of quantity, the estimated size of the cannabis crop grown in the U.S. has increased in recent years. The estimated amount of marijuana produced from the domestic crop for 1981 as reported by the National Narcotics Intelligence Consumers Committee (NNICC) was 1200 metric tons. Although this estimate was based on the best information available at the time, it was considered conservative. A primary goal of the 1982 DEA Domestic Marijuana Eradication/ Suppression Program was to develop an intelligence data base concerning domestic cannabis cultivation. The data collected indicate the previous NNICC estimate may have been very low.

It should be noted, however, that these estimates and the methods used to calculate the amount of marketable marijuana produced remain imprecise. Several major initiatives are underway to develop better estimates. Samples of plants from sites throughout the country will be submitted for analysis to a contractor for the National Institute on Drug Abuse. Dr. Carlton E. Turner, a renowned expert in this field who presently serves as the Special Assistant to the President and Director of the Drug Abuse Policy Office, through an interagency effort has established standards for estimates in this area. In addition, major refinements are being made in survey questions and other information collection

activities under the DEA 1983 Domestic Marijuana Eradication/ Suppression Program. Despite possible variations in total weight estimates we believe that there are greater amounts of marijuana being produced in the United States than ever before.

Obstacles to Law Enforcement

DEA's experience with domestic marijuana production has increased significantly in the last two years; however, our knowledge of the trafficking patterns of domestic marijuana is very limited. Our state and local counterparts also have this problem. The fact that there is a cross-section of individuals engaged in cannabis cultivation contribute to the difficulties in determining trafficking patterns because generalities cannot be applied. Growers range from counterculture holdouts to former moonshiners; from out-of-work lumberjacks to legitimate farmers and to the marijuana user who wants to try to grow his own. Other than certain outlaw motorcycle gangs, we have seen no single group, such as organized crime elements, emerging in control of a significant part of the market at this time.

We recognize that cannabis cultivation in some areas has allegedly spurred locally depressed economies. Marijuana production requires tools, herbicides, fertilizers, irrigation equipment and other financial outlays which benefit local merchants. Profits are often spent on residences, vehicles and

luxury purchases within the community. In a number of areas, illicit marijuana production is perceived as a boon to local businesses and has resulted in passive community resistance to law enforcement efforts. Marijuana, in fact, has a corrupting influence on all those it touches, even if they are not directly involved in the actual cultivation.

Ten states have signed Memorandums of Understanding with their state National Guard and considerable support is being provided by some state National Guard Units. However, recent weather extremes and natural disasters also placed demands on the National Guard and used resources which might otherwise have supported the cannabis eradication program. This situation is particularly evident in Hawaii where National Guard troops, which have previously played a significant role in the support of law enforcement, have been dedicated to rescue and restoration efforts in the wake of the disastrous volcanic activity in that State.

The prosecution of individual cannabis growers is also a new challenge for many prosecutors. Given terrain and security measures that often make pre-raid surveillance impossible, it is difficult to establish an association between growers and specific cannabis plots. Ground access to mountaintop or other remote sites is often limited to one road. Under such conditions, one lookout or cooperative resident some miles from the growing site can warn the growers of intruders by CB radio.

DEA, in cooperation with several U.S. Attorneys, is currently developing seminars for prosecutors to educate them in techniques to offset these problems. U.S. Attorneys are accepting the challenge. For example, the U.S. Attorney in Sacramento, California personnaly prosecuted a recent case which involved four growers and approximately 4,400 cannabis plants.

Prosecutors are often reluctant to indict and judges and juries are likewise hesitant to convict and adequately sentence growers. Further, local budget restrictions, which have resulted in layoffs of deputies, have prevented some sheriffs from applying the manpower to the program which they would otherwise.

Finding a site and the means to safely destroy thousands of pounds of wet, bulky cannabis plants is a challenge for any law enforcement officer. The DEA Office of Science and Technology is currently seeking solutions to these problems.

For U.S. Forest Service and Bureau of Land Management (BLM) employees, personal and resource safety have become a major concern as growers retaliate for the destruction of their cannabis crops. U.S. Forest Service and BLM employees have been threatened and their personal and agency equipment damaged or destroyed by angry growers. U.S. Forest Service officials have told us they suspect that some forest fires have been set by individuals seeking retaliation for enforcement action.

DEA's Marijuana Suppression/Eradication Program

Prior to 1981, DEA's cooperative eradication programs were limited to Hawaii and California. These were expanded during 1981 to include Oregon, Florida, Missouri and Kentucky. Since that time, the program has expanded rapidly to include 25 states in 1982 and 40 states in 1983. While some states are more significant than others with regard to the amount of cannabis cultivation discovered thus far, all of the participant states are experiencing some illicit growth for financial profit.

DEA's strategy has been to provide a varying level of support, depending upon the perceived volume of cultivation, but in every case sufficient to support an aggressive search program in each state. DEA's role in this cooperative venture has been to encourage state and local efforts and to contribute training, equipment, funding, investigative and aircraft resources to support their efforts. The planning process for the current suppression/eradication program has been coordinated at the Federal level by all related agencies. Regular strategy and policy guidance sessions are conducted by the White House Drug Abuse Policy Office and frequent contact is maintained with the U.S. Forest Service and the Bureau of Land Management.

Our headquarters program coordinators have held meetings with DEA field division Special Agents in Charge (SAC) and their division Program Coordinators. Similar planning sessions are then held by the DEA division coordinators with their respective state and local counterparts. Together they have developed operational plans for each participating state which are the basis for the allocation of resources by DEA and other Federal agencies.

In 1983 the number of DEA-sponsored training schools will increase from 4 to 17. These schools are designed to train state and local law enforcement officers in aerial observation techniques, the legal requirements to obtain search warrants in their state, methods to conduct raids to destroy the cannabis crop, and procedures to arrest and prosecute those individuals identified with the cultivation. Participants will include not only state and local officers, but also agents of the U.S. Forest Service and Bureau of Land Management who will play an active role. DEA also plans to sponsor a number of seminars for state and Federal prosecutors to enhance their awareness of the cultivation problem and to address legal questions regarding warrants, asset seizures, appellate review, defense tactics and the cross certification of state/Federal prosecutors.

In 1983, DEA has committed 11 aircraft to complement state and local air surveillance efforts. The importance of aircraft in in the eradication/suppression effort cannot be overstated; of the 481 missions flown by DEA in support of the program in 1982, 82 percent resulted in positive sightings of cannabis plots. In addition to their critical role in locating plots, aircraft are required to move enforcement personnel into the often remote growing areas and to remove the plants once eradication takes place.

The DEA Office of Science and Technology, in cooperation with the U.S. Department of Agriculture, is developing methods to prepare for the appropriate use of herbicides for eradication during the 1983 season. Those plans are being developed in keeping with the 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking and in close coordination with appropriate Federal agencies.

DEA will also work with the states and other Federal agencies to enhance public awareness of the cultivation problem. As a part of this initiative, we have produced a film depicting the Federal and state effort in 1982. The film has been widely distributed to make state executives, legislators, law enforcement personnel and the general public more aware of the domestic marijuana production problem and of the steps being

taken to counter it. In producing the film, we were very fortunate to have had Mr. Ricardo Montalban provide his very impressive talent as a narrator. This was a voluntary public service contribution by Mr. Montalban which certainly deserves recognition.

As I have pointed out several times throughout this testimony, the marijuana program depends on the efforts of many agencies. In addition to the U.S. Forest Service and Bureau of Land Management activities described earlier, the National Guard Bureau in the Pentagon has advised state National Guard commanders of its desire to assist civilian law enforcement officials in drug enforcement operations. In addition, agents of the Bureau of Alcohol, Tobacco and Firearms (ATF) have participated in raid teams throughout the country and have been instrumental in reducing the threat of injury to raid teams by identifying and neutralizing dangerous concealed traps, some of which are potentially deadly. ATF has also conducted followup investigations on some of the 785 weapons seized in the 1982 raids.

In the ongoing planning sessions across the country, we are asking the FBI to use their extensive informant system to aid in meeting the need for increased intelligence regarding domestic marijuana distribution.

The involvement of multi-state intelligence networks in the program has been at the discretion of the states; however, the Western States Intelligence Network (WSIN) is playing a major role in the cooperative operation currently underway for California.

There are a number of variables in this program. First, the type and level of state and local resources available for eradication vary from state to state. Secondly, there has been state agencies, such as state Forest Services, Offices of Emergency Services, etc., which have begun to make equipment and expertise available to the state enforcement elements. In addition, the states are attempting to identify and make use alternate labor sources to cut down cannabis plants, and greater use of helicopters for transportion of raid personnel and removal of personnel and evidence.

The process of manual eradication is highly labor-intensive. As noted, the plot sites are often remote, and in states such as California, Oregon and Washington, are in steep rugged terrain. Law enforcement officers must secure the area, arrest the growers, check for concealed traps, perform a plant count, take photographs and process samples in response to search warrants and evidentiary requirements. Only then can they begin the task of cutting the cannabis plants, which can reach 12-15 feet in height, and which in some

circumstances, grow in groves as thick as bamboo thatches. The plants must be bundled and tied and then carried some distance to the nearest trail or road to be loaded on trucks. Irrigation hoses, which often run for considerable distances and have been buried to avoid detection, must be removed from the site. The seized cannabis plants must then be trucked to a suitable site for burning. This represents an extensive use of law enforcement personnel.

In areas such as here, in northern California where high density marijuana cultivation is experienced, the ability of the local sheriff to seriously impact on the cultivation situation is limited by the size of his force, his budget, and his other law enforcement responsibilities. It is for these reasons that a highly-organized operational concept has been developed for Northern California. It embodies a coordinated effort involving a central intelligence and coordination center Sacramento, an aggressive intelligence collection effort using high-level aerial photography and fixed wing visual searches, and an extremely mobile helicopter transportable raid force consisting of several raid teams strategically positioned to move rapidly into an area and conduct a series of eradication operations in a brief timeframe. Close cooperation and participation by a number of Federal, state, city and county agencies is an integral part of the operational plan.

In 1982, DEA committed almost one million dollars from its operating funds to support the eradication/suppression effort which included expenditures for 25 states to defray their costs for fuel, tools, vehicle and aircraft rental and per diem for off-duty officers. Funds were also expended in conducting the four observer schools and for costs incurred by our own Air Wing. This year (FY 83), DEA has set aside 2.4 million dollars from its operating budget to support the program. We have programmed a like amount as a budget line item for FY 1984.

Conclusion

In closing, I would like to note that there are a number of factors on law enforcement's side side as we face the challenge of domestic marihuana production. On October 2, 1982, President Reagan told the Nation: "The mood towards drugs is changing in this country and the momentum is with us. We're making no excuses for drugs, hard, soft, or otherwise. Drugs are bad and we're going after them." Across the country, law enforcement officers, parents and other citizens share the President's concern and are doing something about the problem. Marijuana is a dangerous drug and we are addressing marijuana with the same intensity as we address other dangerous drugs.

The Congress has demonstrated its concern by passing significant legislation. During the 97th Congress, Public Law 97-113

was enacted to remove restrictions on providing foreign assistance funds to countries for use in herbicidal eradication programs aimed at cannabis cultivation. Public Law 97-86, which permits the assistance of the military to civilian law enforcement authorities was also enacted. It has proven to be of particular importance in our efforts to attack the large-scale smuggling of marijuana to the United States.

If we are to make serious inroads in the marijuana production problem in the United States, there are challenges that must be addressed by all branches of Government. Members of Congress and other Government leaders should lend their voices and help make the public more aware of the threat that illegal cultivation of cannabis represents to both the health of the nation and the rights of the citizens to move freely and safely through this country, parklands and National forests. The military should be encouraged to incorporate marijuana production detection as a regular part of their ongoing air training activities, and state governors should be encouraged to use their the National Guard and other state agencies for the detection and suppression of marijuana production. In addition, herbicides should be used when appropriate to effectively and efficiently eradicate large cannabis plots and to reduce the prohibitive labor costs of manual eradication programs. This would have the added benefit of sending a a signal of encouragement to foreign governments faced with even greater marijuana production problems than our own.

I am optimistic that, with your support, significant progress has been made and will continue to be made in our effort to suppress the illicit production of marijuana in the United States. Thank you for this opportunity to discuss our activities and for your assistance and support.

TESTIMONY OF JOSEPH E. KRUEGER, SPECIAL AGENT IN CHARGE, SAN FRANCISCO DIVISION, DRUG ENFORCEMENT ADMINISTRATION

Mr. CHAPPIE. Mr. Krueger.

Mr. KRUEGER. Mr. Chairman, Congressman Lewis. I appreciate the opportunity to be here, and I would also ask that my prepared statements be entered into the record. I will make my remarks very brief.

You have all had an opportunity to learn the extent and the magnitude of the problem. You have heard the dangers imposed to law enforcement and to the public in connection with the cultivation of cannabis, not only in California but a variety of States in the Western United States. I think that has been well stated, and I applaud the opportunity you had yesterday to personally visit and see one of those eradication initiatives.

I think the key to what has been said to you here today, and what we are all talking about, is the level of coordination and cooperation that can be brought to bear on this problem. I believe personally there is a role that both the Federal, State and local agencies can play in this problem, and no one of them can operate solely unilaterally or independently.

DEA has been involved in the State of California working with County level authorities in a cooperative fashion for approximately 5 years. We have been providing them with not only human resources in special agents, but financial resources; however, we are, on some occasions, somewhat limited in our ability to assist the County initiatives in their eradication efforts. This year we are approaching the problem, at least in northern California, considerably differently, and I would be looking forward to Mr. Helsley's, Director Helsley's, remarks and descriptions of the CAMP program and that coordinated effort.

I am very encouraged by the level of coordination and cooperation that has ensued to date, and my expectations are very high. The amount of cooperation must not be understated. This cooperation started very early in this fiscal year and resulted in a series of executive meetings to determine who could provide material and fiscal resources in addressing the problem.

It involved a very difficult process of targeting those areas which we believe, based on past experience, were most susceptible and most productive in the sense of growing illicit Cannabis. This year the Drug Enforcement Administration will more than double its fiscal commitment. The CAMP's program throughout the State of California will furnish conduits by which and through which information concerning illicit cultivation will pass, and we hope we can deal with that effectively.

We are assigning a full-time analyst to the CAMP's headquarters in Sacramento, as we are assigning a full-time senior agent planning coordinator to be a party to that program.

In summary, I don't believe there is a very simple solution to a very complex problem here. It is certainly going to require the assistance and support of you and your efforts, Federal, and the local community, throughout all the agencies that have a role to play here as well as a commitment and coordinated effort at the State

level. I applaud your initiatives in taking time to hold these hearings. Thank you very much for this opportunity.

Mr. CHAPPIE. Thank you, Mr. Krueger.

[Mr. Krueger's prepared statement follows:]

PREPARED STATEMENT OF JOSEPH E. KRUEGER, SPECIAL AGENT IN CHARGE, SAN FRANCISCO DIVISION, DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE

Chairman Rangel, Members of the Committee, I am pleased to appear before you to discuss the Drug Enforcement Administration's cooperative initiatives with other Federal, state, and local authorities to combat the illicit cultivation of cannabis in the State of California.

The illicit cultivation of high potency marijuana has escalated beyond the best estimates of the law enforcement agencies throughout California. The vast areas of remote private and public lands are susceptible to illicit cultivation of this cash crop. Cannabis plots are generally small and difficult to locate. Eradication is time consuming, expensive, and requires specialized equipment and the ability to commit significant human resources to the effort.

Clearly, cannabis cultivation has a negative impact on the safety of people living in or visiting the growing areas. Threats of violence, assaults and even homicides, once perceived as being associated with other drugs are now often reported in association with the cultivation of cannabis. The illicit production of marijuana has overloaded California Sheriffs Departments who have the primary responsibility for marijuana enforcement and eradication efforts.

The cannabis being cultivated in California is primarily the sinsemilla variety which produces, on the average, a higher THC (Delta-9-Tetrahydrocannabinol) content than the imported varieties. The quality of marijuana produced in California is significant from a commercial merchandising standpoint, and in terms of its potential

health hazards, i.e., the higher the THC content the more serious the health consequences.

The Drug Enforcement Administration has been active in the California eradication effort for the past five years. Our activities were primarily localized in cooperative agreements with the affected Sheriffs Departments and their eradication efforts. During the past year, more emphasis was given to Task Force type eradication efforts, principally in San Diego County and throughout northern California.

During the course of the development of the cannabis eradication effort in California, there have been several Federal, state and local agencies involved. The agencies participating in this program include: the U. S. Forest Service, the Bureau of Land Management, the California Bureau of Narcotics and Enforcement, County Sheriffs and the Drug Enforcement Administration.

In addition, the phenomenon of domestic marijuana production is a relative recent occurrence which has increased in the past few years. Therefore, our experience and historical knowledge of trafficking patterns is limited. Finally, a considerable problem is a direct result of the cross section of individuals who are engaged in cannabis cultivation and the misconception on the part of local proprietors that the production of marijuana will help the economy in their communities.

DEA's strategy in Calfornia has been to provide a leadership role in the eradication operations. Our resource application is scaled to the local situation, consistent with DEA priorities and our policy of encouraging maximum state and local initiatives. Our goal is to suppress on-going cannabis cultivation and to discourage the proliferation of cultivation in areas that have not yet developed a large or sophisticated growing or marketing capability.

Within the framework of this strategy, DEA participated in a pilot Federal/State high impact, high mobility eradication operation during October 1982. This test, funded by DEA, was designed to examine the feasibilities of using non-sworn personnel (alternate labor) in concert with law enforcement officers in the process of eradication. The useage of alternate labor resources was believed to be the best solution to the problem of having limited numbers of sworn law enforcement personnel that could be dedicated to the cannabis eradication problem. This 1982 test was considered successful, and served as the basis for the 1983 cooperative marijuana eradication/suppression program throughout northern California.

The 1983 California eradication plan is the result of arduous multi-agency advanced planning predicated on our best experience and test programs. While many Federal and state agencies are assisting, the Drug Enforcement Administration is providing approximately $200,000 in a cooperative agreement with the State of California and its counties. The majority of these funds are programmed to be used in the Campaign

Against Marijuana Plantings (CAMP), a combined county, State and Federal Task Force. Similarly, cooperative funding has been made available to the affected counties in their individual eradication efforts, with the expectation that their crop reporting mechanisms and intelligence analysis will produce a much more accurate inventory of the California marijuana production capabilities.

In addition, DEA has designated a full-time State coordinator to act as a "Planning Chief" for the tactical operations of this program. DEA is also providing an intelligence analysis capability and designated marijuana eradication/enforcement coordinators within each of our divisional offices throughout the State of California. These coordinators will be responsible for accumulating intelligence and monitoring investigations for suitability for Federal prosecution.

For our efforts in combatting cannabis cultivation throughout California to be effective, we must face the challenge united in our resolve that the illicit cultivation of cannabis represents both a health and safety hazard. This challenge necessarily requires the combined efforts of all appropriate county, State and Federal authorities working together toward a common goal. I am encouraged by the interest of this Committee and the Congress in this important issue. I thank you for the opportunity to appear before you today.

TESTIMONY OF STEVE HELSLEY, CHIEF, CALIFORNIA BUREAU OF NARCOTIC ENFORCEMENT

Mr. CHAPPIE. Mr. Helsley.

Mr. HELSLEY. Thank you. It is a pleasure to be here. I would like to speak first to the discussion that was had by the group that spoke before us as to roles.

Our feeling is that it is the role of the sheriff to do the primary enforcement work, and it is the role of the State and Federal authorities to support what sheriffs are doing. We have been involved in this for about 5 years, and what I would like to do this morning is take you through and give you some historical perspective as to what has occurred in this State and where we are today and why we are here.

Four years ago, four sheriffs from the north coast of this State asked us to support them by obtaining an LEAA grant to pay for the overtime and per diem expenses that were involved in going out and eradicating these crops, as has been described here before. It is very expensive, it is a labor-intensive-type of work.

We obtained that LEAA grant and developed training in the aerial observation techniques that are required to spot crops from the air. As a result of that, approximately 26 tons of material were seized that first year. We at first felt that it was a problem confined to the northern part of the State, but by the end of that first year it was pretty apparent that it wasn't just a problem in the northern part of the State; it was statewide.

Through this entire program, we have had the support of the Drug Enforcement Administration and other Federal agencies as well. The next year we were contacted by such States as Texas and Florida and asked for training support for programs that they were developing. We have now been involved in putting on instruction in approximately 30 States.

During that crop year, approximately 100 tons of material was seized. I think it is important to keep in mind when we talk about the seizures that the reporting seizures is voluntary. So all we know about is those crops that the sheriffs reported to us. We do not know the extent of the growing, nor do we know the full extent of what was seized.

In 1981, based on the resource commitment that was made by the Federal, State and local officials, we felt that seizures would increase two or threefold. We have conducted training now for almost 100 sheriff's personnel in the aerial techniques involved in finding the crops, and yet the figures that were reported to us showed a very small increase. We don't believe that that means that the crops—that the extent of the problem in the State has remained the same, but we began to experience some real concerns as to the reporting compliance and what we really know about what was going on.

In 1982, there was a very significant change in the program. We continued to train police and sheriffs. We continued to work in support of sheriffs, but the U.S. Forest Service and the Bureau of Land Management also became involved in supporting what sheriffs were doing. That caused new problems. We had such a large group of State and Federal agencies involved in trying to provide cash to

sheriff's departments that we weren't always sure that we knew who was getting what or doing what.

So we felt we had to develop a new approach. We simply couldn't continue to have 58 sheriffs and 10 State and Federal agencies all going in their own directions. We approached the Drug Enforcement Administration for a grant. What we were trying to do was look for new ways to deal with these crops.

Now, as I said before, this is a labor-intensive-type of work and, unfortunately, most of the sheriff's departments who have the greatest amount of growing in their areas are the smallest. And regardless of how much funding support you give to these sheriffs, they still have a very small staff, and the primary role of that sheriff is to man the jail and keep the patrol cars out on the street, so he is not always in a position, regardless of the funding he has, to divert the people away from the basic police work that has to be done.

We also have some concern that the manual work involved in chopping down the plants and burning the plants was probably not the appropriate role for a sheriff's deputy at the pay rate he was at, so we felt that by hiring reserves and by conducting the raids in a regional approach, that we could significantly cut down the costs of the raids and we could deal with the problem of staff size with these smaller sheriff's departments.

We obtained that grant from DEA and we conducted a regionalized approach last fall. We were very pleased with the results, and I am told that the sheriffs were pleased as well. We hired the reserves of State employees and without concerns to the county lines, we raided the largest crops we could find.

In March of this year, based on that experience, we asked the principal State and Federal agencies to come together to plan for a unified approach. We identified what we felt were the high density growing areas of this State and developed a program that you have referred to here as CAMP. That is the campaign against marihuana planting.

There are 5 State, 5 Federal and 14 sheriff's departments involved. What the CAMP program will do is allow a great deal of raiding in areas where we believe the most growth exists. This is not designed to replace what sheriffs are doing; this is designed to enhance what sheriffs are doing.

The sheriff's departments are very much involved in this and have lead sheriff's deputies assigned to all of the raiding teams.

This statewide approach will also include training, public awareness, a uniform reporting system so that we hopefully will be able to deal with or get a better grip on the amount of crops that actually are seized and, perhaps most important in the long run is high altitude surveillance to identify crops. We can't authoritatively say what the extent of the problem is in this State, and if you can't say that, then you don't really know what your impact is, you don't know how much you're seizing.

If high altitude surveillance works, we will be able to conduct an inventory of the primary growing areas of this State and, therefore, be able to speak for the very first time as to what our impact has been. If the program works, and we have every feeling that it will work because of a very spirited cooperation by all those that

are involved, then we can expand in years to come, depending on what we learn from this year.

As to the issue of funding, we have sufficient funds for what we have been able to plan for this year. It is a start, it is a small approach. We don't have sufficient funding for an increase, but with all the planning that we have done, the Federal, State and local agencies who had a role in this have come up with the resources that are required to do it.

What needs to be done, our intelligence base is weak, we don't know, we don't have a very good grip on where this material is going to. We don't really understand the nature or the dimensions of the problem. We don't know what percent we seize, we don't know what percent of it is Sinsemilla, and we believe we seize about 50 percent of the crops that we sight.

Mr. LEWIS. You believe what?

Mr. HELSLEY. We believe that we seize about 50 percent of the crops that we see. I believe in the briefing you had from the Bureau of Land Management you saw a map that had a series of red and yellow and blue dots. Those are crops that we know of, and we are seizing, as best we know, about 50 percent of the crops that are seen.

Mr. LEWIS. I was going to wait until the end of your testimony, but yesterday in just one illustration, in one area here in northern California, there were 18 little farm sites. Resources allowed for eradication of only two. A long ways from 50 percent.

Mr. HELSLEY. Correct. I think you are referring to the King Range.

Mr. LEWIS. That is right.

Mr. HELSLEY. I am speaking now statewide, and the best we know—and I will agree that our data is soft—but as best we know, about 50 percent of what we see is seized. We need to develop a statewide strategy——

Mr. LEWIS. Would you put on the record behind that statement that data is "soft"?

Mr. HELSLEY. We need a strategy that identifies the fact that California is a source country for cannabis for the diversion of prescription drugs and clandestine labs. We are more or less at the mercy of the Federal authorities as it relates to cocaine and heroin. There is little we can do at their source.

We can deal with drugs that we are a source for, and I believe that with the program that we have developed, we are a long way from ridding ourselves of the problem, but I am happy to report to you today that we feel very good to be at the position we are at today.

If Federal efforts in the Caribbean are successful to interdict drugs from South America before they hit our shores, that can only create more pressure for domestic growth, and it is essential that we have a coordinated, fully funded approach to deal with this problem.

Thank you.

Mr. CHAPPIE. Mr. Helsley, you indicated that you were satisfied with the level of funding that you received this year. What does that amount to?

Mr. HELSLEY. The level of funding for CAMP involves $175,000 from DEA. It involves, I believe, $40,000 from the Bureau of Land Management. We are taking resources from our own staff. We have 13 full-time agents and pilots assigned to it. I can't speak to the dollar commitment that the U.S. Forest Service has made. I believe they are here, and perhaps they could address that.

In March of this year, we identified the funds that would be made available to it. We planned around those funds and those funds have been made available to us.

I believe that the total amount being put into this by all the State and Federal agencies involved is right at $1 million.

Mr. CHAPPIE. Thank you. Mr. Lewis.

Mr. LEWIS. Yes, Mr. Chairman, I hope that the members of the panel will bear with me. I am pressing a little because of what I am beginning to believe is at best a lackadaisical, maybe haphazard effort on the part of the Federal Government in terms of our responsibilities. And as I raise that question, I will be raising it by pointing a finger at the Congress, although sometimes some of those responsible for enforcing the program will feel the needle going in their direction as well.

I remember a few years ago in the Agriculture Committee that we were approached with the problem of Newcastle disease affecting chickens in California, and we overnight came up with four times as much money we spent in 1982 for the marihuana eradication program.

The 1982 total expenditure was $923,000 across the country. Something like $85,000 went to California. Virtually a pittance when you take, for example, Mr. Byrne, your suggestion that in 1982 approximately 2.5 million plants were eradicated across the country. Just put a $1,000 average to that plant if it were to mature—which I gather would be a very conservative estimate of its value—and you're talking about $2 million to $500 million of potential marketable product.

I am not sure what the value of that is in this case, but Newcastle interplays there. We are talking about kids' lives and it seems to me that somewhere the Federal Government, the Congress has failed to crystallize our responsibility by saying that we have a nationwide problem. California being a major source, also a major recipient of production in other States, it is clear that local law enforcement can do a job if given the tools, but we have got to coordinate and you can't have 17 agencies, as you indicated, walking all over each other.

Now, who should take the lead? What kinds of changes in public policy or law are necessary? What kind of planning should be a part of your responsibility? Give us some direction. What do your people think?

Mr. BYRNE. Well, I think from the national perspective we have identified it as a problem. We are addressing it. We addressed it in 1982 with somewhat less than a million dollars. This year we initially addressed the problem with $1.9 million, which we recently increased to $2.4 million.

So I think there is no question that the DEA has recognized domestic cultivation as a problem, and we are taking steps to address it. I think it is important to understand, however, that while we

talk about $2.4 million, those moneys are direct operating funds. We do not include, for example, the salaries and equipment which is currently in existence in the various States, sheriffs' departments, local police departments, and, in fact, DEA itself. So when we talk about that $2.4 million, that is actual money being placed directly, operationally into the problem.

Mr. LEWIS. Anybody else?

Mr. KRUEGER. I would just add to that. That $2.4 million does, I am sure, represent a significant amount of those funds available to the DEA that are not fixed costs when you look at the organization and its total funding in any fiscal year. I am not equipped to talk to the fiscal picture.

Beyond that, I think we are seeing, at least from my perspective, a very encouraging set of events by the Congress. This administration along this line has added significant funding to the programs of drug law enforcement task forces, which is a signal that the citizens of this country are concerned about the drug problem and they are about the business of trying to add additional resources and trying to address that.

Mr. LEWIS. Mr. Jones in our last panel indicated a problem of coordination that could be most disconcerting, especially for local officials trying to get a handle on their own responsibility. He gave testimony relative to what seemed to be a breakdown at the upper levels in cooperation and communication, as well as a willingness to share evidence within both DEA and the FBI.

Do we have a problem of wanting to do our own investigation and father our own information and closing the doors in terms of that cooperation? Is there a problem?

Mr. BYRNE. I, of course, can only speak for DEA, and I do not share that sentiment. From my perspective of the national view from DEA, certainly there are going to be pockets of individual personality problems, but I can guarantee that across the board the relationship of State, local sheriffs' departments, and DEA, in my estimation, is outstanding. I don't think it could be better, in discussing it in the broad sense.

I don't think there is any hesitancy on the part of DEA to share with State and local departments any information that is pertinent to an investigation.

Mr. LEWIS. Does DEA have any problem with the FBI?

Mr. BYRNE. Not that I am aware of. The relationship of DEA and State and local has to exist, because DEA is not that large of an organization. The good relationships between DEA and State and local authorities has existed for many years, and I don't think it could be any better than it is now.

Mr. CHAPPIE. The Chair is going to declare a 10-minute recess to assist the court reporter.

[Recess.]

Mr. CHAPPIE. Committee will be in order. Mr. Lewis.

Mr. LEWIS. I just have one more question of the DEA. I have read with interest some material relative to the marihuana eradication suppression program. Testimony has indicated that that program may be the tip of the bud, as it were, if indeed imaginative young horticulturalists are finding ways to cultivate poppies up there in the boondocks. Perhaps it's important that the Federal

Government immediately begin applying some of its other resources to evaluate in that potential.

Do you have such a program? Are we concerned about the possibility of an explosion in rural America on public lands of cultivation of drugs of an even more severe nature?

Mr. BYRNE. Well, there certainly is always a concern on the part of DEA to be aware of emerging trends. The growth of poppies in this country is not—it has happened in the past, but certainly far from usual, and it is an issue and an area to which we are alert. It is part of our ongoing system of identifying the changing trends. At this point there is no information to give any indication that opium cultivation has any significant role at all in this country.

Mr. LEWIS. Perhaps as we leave the record open, you could ask somebody who is in the middle of the question of poppy cultivation whether there isn't a new leaf that has been turned here that we ought to take a hard look at.

Mr. BYRNE. Information in DEA would indicate that we probably hear of half a dozen situations a year, at most, where there have been poppies cultivated.

Mr. CHAPPIE. In respect to Mr. Lewis' question, we have learned this morning of the 90-day wonder, for example, under very confined conditions, very sophisticated process. Is there any reason to believe that this could occur in the area of cultivating poppies, that you could develop a source of that drug under very confined conditions, warehouses? I don't know that much about poppies, even though it is our State flower.

Mr. BYRNE. There are various forms of poppies. Whether or not poppy cultivation could ever be instituted to such an extent in this country to make it feasible to grow opium from it, I would be very, very doubtful. It requires tremendous acreage.

As you saw in your field trip, the marihuana can roughly yield three-quarters of a pound or a pound of product. An opium pod is going to yield an insignificant amount. You require vast acreage and, as you say, with the marihuana cultivators, the typical plot is small; 100 plants is a big plot. The plants are disguised, blended along the tree lines. The cultivators are certainly aware that we are out trying to find it. So if you translate that from the marihuana cultivation into opium growing, you would be faced with fields of several acres, which would be readily identifiable.

Mr. CHAPPIE. Thank you very much, gentlemen. We appreciate your effort and your testimony.

Mr. HELSLEY. Might I add one last thing here? I am here on behalf of the attorney general, John Van De Kamp, and I have a prepared statement here that I would like to have included in the report.

Mr. CHAPPIE. Without objection, that will be the order.

Thank you, gentlemen.

[Mr. Van De Kamp's prepared statement follows:]

Prepared Statement of John K. Van De Kamp, California Attorney General

Marijuana is one of the most frequently abused drugs in the United States. The cultivation of cannabis and smuggling of marijuana are illicit industries which exceed an estimated $20 million annually in the United States. This untaxed and unregulated flow of cash forms a financial base for numerous other criminal enterprises. Violent crime is also often associated with such huge sums of cash. The takeover of legitimate businesses and the corruption of public officials are historically two uses of underworld cash.

Traditionally, Mexico and Colombia have been the sources of marijuana, however, in recent years domestic commercial cannabis cultivation has supplied an increasing amount of the market demand. New growing techniques used by the domestic growers have resulted in a seedless strain of marijuana known as sinsemilla. The new technique of forced growth by preventing the pollination of the female plant produces a very high THC content exceeding that of hashish and approaching that of hashish oil. A single mature plant which has been properly cultivated to a height of 14 to 16 feet will yield one to two pounds of saleable material. Because of its great potency and availability, sinsemilla/marijuana has become highly sought after and commands a premium price of almost $2,000 a pound.

The California Attorney General's Bureau of Narcotic Enforcement first became aware of this new domestic marijuana industry in late 1977, and in 1979 obtained a federal grant to help the sheriffs of Mendocino, Humboldt, Del Norte and Lake counties address their problem. The grant was designed to fund overtime and travel expenses for sheriffs' officers and to explore the use of aerial surveillance to spot illegal

CULTIVATION SITES. BNE, IN CONJUNCTION WITH THE U. S. DRUG ENFORCEMENT ADMINISTRATION, DEVELOPED TRAINING COURSES TO PROVIDE THE LOCAL OFFICIALS THE NECESSARY EXPERTISE, AS SHERIFFS' DEPARTMENTS WOULD BEAR THE MAJORITY OF THE BURDEN FOR CROP IDENTIFICATION AND ERADICATION.

COMMERCIAL CANNABIS CULTIVATION GENERALLY OCCURS IN THE MORE REMOTE AREAS OF THE STATE AND GROWERS GO TO GREAT LENGTHS TO CAMOUFLAGE THEIR CROPS THROUGH THE USE OF GREENHOUSES, CAMOUFLAGE NETS AND OTHER TECHNIQUES. MOST CROPS ARE SIGHTED THROUGH THE USE OF SMALL AIRCRAFT AND ARE SEIZED BY LOCAL AUTHORITIES UNDER THE AUTHORITY OF A SEARCH WARRANT. THE TERRAIN, THE BULK OF THE CROPS, AND THE TIME CONSUMING INVESTIGATIVE TECHNIQUES REQUIRED, PLACE A TREMENDOUS DEMAND ON THE RESOURCES OF THE SHERIFFS' DEPARTMENTS AND CALL FOR CLOSE COORDINATION OF LOCAL, STATE AND FEDERAL EFFORTS. THUS THE BUREAU OF NARCOTIC ENFORCEMENT'S PROPER ROLE IS TO COORDINATE THIS MULTI-LEVEL AGENCY EFFORT AND PROVIDE TRAINING, AERIAL SUPPORT, AND A LIMITED AMOUNT OF ON-SITE ERADICATION COORDINATION.

IN 1979, LAW ENFORCEMENT AGENCIES PARTICIPATING IN THE PROGRAM IDENTIFIED SOME 868 SITES WHERE CANNABIS WAS BEING COMMERCIALLY CULTIVATED. OF THESE, IT WAS POSSIBLE TO PHYSICALLY INSPECT AND DESTROY ONLY 254 DUE TO LIMITS OF AVAILABLE RESOURCES, ESPECIALLY MANPOWER. NONETHELESS, THESE 254 FIELDS YIELDED NEARLY 30,000 MARIJUANA PLANTS WITH A TOTAL WEIGHT IN EXCESS OF 52,000 POUNDS - 26 TONS!

BUREAU AGENTS ALSO CONDUCTED PUBLIC SEMINARS TO ENHANCE AWARENESS CONCERNING THE EXTENT AND SERIOUSNESS OF THE PROBLEM. TRAINING MATERIALS WERE DEVELOPED AND DISSEMINATED TO POLICE AGENCIES AND DATA COLLECTION PROCEDURES INSTITUTED SO THAT THE DIMENSIONS OF THE PROBLEM COULD BE IDENTIFIED. REPRESENTATIVES OF NORML (NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS) WERE UNPLEASANTLY SURPRISED BY THE SPEED AND EXTENT OF LAW ENFORCEMENT'S RESPONSE TO THIS NEW "INDUSTRY".

AT THE CLOSE OF 1979, AS PLANS WERE BEING FORMULATED FOR 1980, THE CLANDESTINE GROWING OF CANNABIS WAS FOUND TO HAVE SPREAD FROM THE NORTHWEST COASTAL AREA TO ALMOST ALL AREAS OF THE STATE. THE PRESSURES OF THE SUCCESSFUL 1978 AND 1979 PROGRAMS CONTRIBUTED TO THIS DECENTRALIZATION OF THE MARIJUANA/SINSEMILLA INDUSTRY. IN TOTAL, CULTIVATION WAS REPORTED IN AT LEAST 20 COUNTIES FROM SHASTA AND TRINITY TO MARIN AND MONTEREY TO SAN BERNARDINO AND SAN DIEGO - LITERALLY FROM BORDER TO BORDER.

IN 1980, BNE MET WITH SHERIFFS TO PLAN FOR AN EXPANDED OPERATION. TWO 2-WEEK SINSEMILLA OBSERVERS SCHOOLS WERE ARRANGED TO MEET LOCAL LAW ENFORCEMENT NEEDS. BNE PURCHASED SPECIALIZED EQUIPMENT SUCH AS 4-WHEEL DRIVE TRUCKS AND CHAIN SAWS TO SUPPORT LOCAL EFFORTS. ADDITIONAL DEA AGENTS WERE COMMITTED TO SEIZE, UNDER FEDERAL LAW, ASSETS DEVELOPED FROM ILLEGAL CULTIVATION. BOTH DEA AND BNE COMMITTED AIRPLANES TO THE OPERATION, FOR THE USE OF LIGHT AIRCRAFT TO SPOT CROPS HAD PROVEN TO BE THE MOST EFFECTIVE TECHNIQUE. THE WESTERN STATES INFORMATION NETWORK (WSIN) AND BNE WORKED TO DEVELOP MORE SOPHISTICATED DATA COLLECTION PROCEDURES TO FURTHER REFINE LAW ENFORCEMENT'S UNDERSTANDING OF THE EXPANDING PROBLEM.

By the end of the 1930 crop year, 43 counties had reported seizures of 156,000 plants, almost 105 tons, and the arrest of over 1,000 suspects. Inquiries from other states became common as law enforcement pressure in California and user demand moved at least some of the problem to other parts of the nation. BNE, in conjunction with (WSIN) The Western States Information Network, and the State Drug Enforcement Alliance (a group of 33 state-level narcotic enforcement agencies from California to Florida to Maine) began to disseminate training materials and intelligence information to areas where the problem was migrating. Media interest became intense as ballot initiative efforts (to reform the marijuana laws) began and public officials (many of whom were uninformed) speculated on the size and financial importance of the marijuana crop to local economies.

Concurrently, with 1930's expanded enforcement efforts, public concern grew as did the body of scientific data concerning the seriousness of health problems associated with marijuana abuse. An initiative to decriminalize California's marijuana laws failed to qualify for the ballot for the tenth time and by over 73,000 signatures. City Councils, Boards of Supervisors and State Legislatures began cracking down on businesses engaged in the trafficking of drug paraphernalia. The message was clear that the drug laws should be vigorously enforced.

Early in 1931, BNE once again began coordination with DEA and sheriffs' departments for a greatly expanded effort. Based on preliminary intelligence information, seizures of two to threefold over 1930 were expected. Two more 2-week sinsemilla observers schools were scheduled to train additional officers. Evidence that domestic marijuana

CULTIVATION WAS QUICKLY BECOMING A NATIONAL PROBLEM WAS EMPHASIZED WHEN THE STATE NARCOTIC AGENCIES OF TEXAS, ARIZONA, MISSISSIPPI, AND LOUISIANA REQUESTED PLACES FOR THEIR AGENTS IN THE SINSEMILLA OBSERVERS SCHOOL. IN MAY, BNE WAS ASKED TO CONDUCT A BRIEFING IN NASHVILLE, TENNESSEE FOR CHIEFS OF MAJOR U. S. POLICE DEPARTMENTS CONCERNING DOMESTIC CANNABIS CULTIVATION. IN JUNE, AT THE REQUEST OF DEA, A BNE AGENT WAS DISPATCHED TO FLORIDA TO HELP STATE AND FEDERAL AUTHORITIES ACCESS FLORIDA'S PROBLEM AND DEVELOP A TRAINING PROGRAM. TO ENSURE A COORDINATED EFFORT BETWEEN LAW ENFORCEMENT OFFICIALS AND DISTRICT ATTORNEYS OFFICES, BNE, DEA AND THE ATTORNEY GENERAL'S SPECIAL PROSECUTIONS UNIT CONDUCTED A TRAINING SEMINAR FOR PROSECUTING ATTORNEYS FROM 20 COUNTIES CONCERNING THE SPECIALIZED PROBLEMS INVOLVED WITH MARIJUANA ERADICATION CASES.

LATER IN 1982, IN COOPERATION WITH WSIN, TRAINING SEMINARS WERE CONDUCTED FOR IDAHO, WASHINGTON AND CANADIAN LAW ENFORCEMENT AGENCIES, BNE CONTINUED TO CONDUCT NUMEROUS PUBLIC PRESENTATIONS CONCERNING THE PROBLEM AND COMMITTED MORE RESOURCES TO ERADICATION EFFORTS. AERIAL SUPPORT FOR TWO BNE AND THREE DEA PILOTS PROVIDED THE INFORMATION BY WHICH A LARGE PERCENTAGE OF 1981 SEIZURES WERE MADE. ADDITIONALLY, THE UNITED STATES CUSTOMS SERVICE PROVIDED HELICOPTER SUPPORT WHICH ALLOWED A SAFER AND MORE COST EFFECTIVE ACCESS TO LARGE CROPS IN THE MORE INACCESSIBLE AREAS OF CALIFORNIA'S CENTRAL COAST. PREDICTED MASSIVE INCREASES IN SEIZURES FAILED TO MATERIALIZE. REPORTS FROM 53 COUNTIES ON GROSS TONNAGE SEIZED SHOWED AN INCREASE OF 4%, FROM 105 TO 109, AND THE TOTAL NUMBER OF PLANTS SEIZED INCREASED 12%, FROM 156,000 TO 175,000.

DURING THE 1982 CROP YEAR THE BUREAU OF NARCOTIC ENFORCEMENT ASSIGNED 10 SPECIAL AGENTS AND 2 AIRCRAFT TO SUPPORT THE EFFORTS OF THE SHERIFFS' DEPARTMENTS. THESE AGENTS ARE EQUIPPED WITH 4-WHEEL DRIVE VEHICLES, CHAIN SAWS AND OTHER EQUIPMENT REQUIRED TO MANUALLY ERADICATE CROPS. ONE OBSERVERS SCHOOL AND ONE PROSECUTORS SEMINAR WERE CONDUCTED. THESE SCHOOLS WERE ONCE AGAIN SPONSORED JOINTLY BY THE BUREAU OF NARCOTIC ENFORCEMENT AND THE DRUG ENFORCEMENT ADMINISTRATION.

BY THE END OF THE 1982 CROP YEAR, REPRESENTATIVES FROM 37 CALIFORNIA SHERIFFS' DEPARTMENTS HAD BEEN TRAINED IN AERIAL OBSERVATION AND ON-SITE CROP ERADICATION TECHNIQUES.

DURING JUNE, 1982, BNE SENT AN AGENT TO THE FEDERAL TRAINING CENTER AT GLYNCO, GEORGIA TO HELP DEVELOP A REGIONAL TRAINING COURSE FOR LAW ENFORCEMENT AGENCIES IN THE SOUTHEAST UNITED STATES. ADDITIONALLY, THE WESTERN STATES INFORMATION NETWORK BECAME THE SOLE COLLECTOR OF SEIZURE DATA. WSIN ALSO CONTINUED TO SUPPORT THE EFFORTS OF LAW ENFORCEMENT AGENCIES THROUGH INTELLIGENCE GATHERING, DISSEMINATION, AND DEVELOPING GRAPHIC PRESENTATIONS FOR DISPLAY DURING TRIALS.

A SIGNIFICANT CHANGE OCCURRED IN THE OVERALL EFFORT WITH THE INVOLVEMENT OF THE UNITED STATES FORST SERVICE AND THE BUREAU OF LAND MANAGEMENT - RESOURCE MANAGEMENT AGENCIES. ADDITIONAL FUNDING AND A NEW PERSPECTIVE - THAT OF THE DAMAGE TO THE ENVIRONMENT FROM ILLICIT CULTIVATION ACTIVITIES WAS GAINED.

THE 1982 EFFORT WAS A QUALIFIED SUCCESS. WHILE THE NUMBER OF CROPS SEIZED ROSE FROM 1040 IN 1981 TO 1152 IN 1982 THE TOTAL NUMBER OF

PLANTS SEIZED DROPPED TO 90,367. NEW ASPECTS TO THE CANNABIS CULTIVATION PROBLEM ALSO BECAME APPARENT. FIRST, IN THAT REPORTING OF CROP SEIZURES BY SHERIFFS' DEPARTMENTS IS VOLUNTARY, IT IS VERY DIFFICULT TO MEASURE THE REPRESENTATIVENESS OF STATISTICS. MORE IMPORTANT THOUGH, AS MORE AGENCIES BECAME INVOLVED IN THE PROGRAM CO-ORDINATION OF EFFORTS WAS MORE DIFFICULT. BASED ON THE FOUR YEARS EXPERIENCE BNE FELT THAT A NEW APPROACH WAS NECESSARY, BECAUSE THE OVERALL EFFORT WAS NOT AS EFFICIENT OR EFFECTIVE AS IT COULD BE. THE KEY REASONS WERE:

- REGARDLESS OF THE AMOUNT OF FINANCIAL SUPPORT, MOST SHERIFFS' DEPARTMENTS IN HIGH DENSITY CULTIVATION AREAS LACK SUFFICIENT STAFF TO ALLOW DIVERSION OF THEIR FULL-TIME STAFF TO ERADICATION FUNCTIONS AND STILL CARRY OUT ESSENTIAL POLICING OPERATIONS.

- THE LACK OF COORDINATION OF THOSE SPECIALIZED RESOURCES WHICH ARE NECESSARY FOR AN EFFECTIVE ERADICATION EFFORT, I.E. FIXED WING AIRCRAFT, HELICOPTER WITH SUPPORT EQUIPMENT, TRAINED OBSERVERS, AND CROP DESTRUCTION METHODS AND FACILITES.

IN SEPTEMBER 1982, BNE APPROACHED DEA AND REQUESTED A $25,000 GRANT TO TEST A NEW APPROACH. RESERVE SHERIFF DEPUTIES AND MINIMUM WAGE WORK CREWS WOULD BE USED ON RAIDS TO REPLACE HIGHER PAID FULL-TIME SHERIFFS' DEPUTIES. STRIKE TEAMS WOULD BE FORMED AND RAID ON A REGIONAL BASIS INSTEAD OF STOPPING AT COUNTY LINES.

THE DEA GRANT WAS OBTAINED IN LATE SEPTEMBER. THE LATENESS OF THE PLANNING PRECLUDED ACCESSING STATE OR FEDERAL WORK CREWS, BUT BNE WAS ABLE TO HIRE, AS TEMPORARY STATE EMPLOYEES, RESERVES FROM THREE

DIFFERENT NORTHEN CALIFORNIA SHERIFFS' DEPARTMENTS. THE ENFORCEMENT OPERATIONS SPONSORED BY DEA FUNDS WERE CONDUCTED BETWEEN OCTOBER 11 AND OCTOBER 20, ~~1932 UNDER THE SUPERVISION~~ OF DNE SPECIAL AGENTS.

DURING THE TEN DAYS OF RAIDING IN DEL NORTE AND HUMPOLDT COUNTIES FIFTEEN RAIDS WERE CONDUCTED WHICH RESULTED IN NINE ARRESTS, THE SEIZURE OF 2,227 PLANTS (7,144 LBS.) AND 1186 LBS. OF DRIED AND PROCESSED MARIJUANA. PASED ON THIS EXPERIENCE THE REGIONALIZED STRIKE FORCE APPROACH SEEMED VIABLE.

IN MARCH, 1933, DNE, AT THE DIRECTION OF THE ATTORNEY GENERAL, INVITED THE PRINCIPAL STATE AND FEDERAL AGENCIES TO MEET AND PLAN A UNIFIED PROGRAM. THOSE AGENCIES WERE THE BUREAU OF LAND MANAGEMENT, UNITED STATES FOREST SERVICE, DRUG ENFORCEMENT ADMINISTRATION AND THE CALIFORNIA BUREAU OF NARCOTIC ENFORCEMENT, OFFICE OF EMERGENCY SERVICES AND DEPARTMENT OF FORESTRY. THE WESTERN STATES INFORMATION NETWORK IDENTIFIED THE HIGH DENSITY GROWING AREAS IN CALIFORNIA SO THAT A REGIONALIZED APPROACH COULD BE DEVELOPED.

AS THE PROGRAM TOOK SHAPE, ADDITIONAL AGENCIES BECAME INVOLVED - THE UNITED STATES MARSHAL'S OFFICE, U.S. CUSTOM SERVICES, CALIFORNIA NATIONAL GUARD AND CALIFORNIA HIGHWAY PATROL. WHEN THE PROGRAM WAS FINALIZED, IT WAS PRESENTED TO AND APPROVED BY FOURTEEN SHERIFFS IN FOUR REGIONS.

THE APPROACH WAS TO PROVIDE THE GOVERNMENTAL RESPONSE NECESSARY TO CONTROL THE ILLEGAL GROWING OF CANNABIS IN CALIFORNIA, FEDERAL, STATE, AND LOCAL RESOURCES MUST BE BROUGHT TO BEAR ON THE PROBLEM, THROUGH

THE CONCEPT OF MUTUAL AID. DUE TO THE SCOPE OF THE EFFORT REQUIRED, THESE RESOURCES MUST IN SOME CASES BE PROVIDED BY AGENCIES NOT NORMALLY INVOLVED IN SUCH ACTIVITIES. THE VERY NUMBER AND DIVERSITY OF THE AGENCIES POSSESSING THE NEEDED RESOURCES DICTATES THAT THEY BE BROUGHT TOGETHER IN A HIGHLY STRUCTURED, COORDINATED MANNER.

TO PROVIDE THE VEHICLE FOR THE FOCUSING OF MULTI-LEVEL, MULTI-AGENCY RESOURCES ON THE PROBLEM, A JOINTLY OPERATED LOCAL-STATE-FEDERAL ORGANIZATION WAS ENTITLED THE "CAMPAIGN AGAINST MARIJUANA PLANTING", AND IS REFERRED TO BY THE ACRONYM CAMP.

THE OBJECTIVES OF CAMP ARE TO:

- REDUCE THE AVAILABILITY OF MARIJUANA IN THE STATE OF CALIFORNIA THROUGH THE ERADICATION OF ILLEGALLY CULTIVATED PLANTS.
- ARREST AND PROSECUTE THOSE WHO CULTIVATE AND TRAFFIC IN THAT DRUG.
- SEIZE AND FORFEIT ASSETS AND PROCEEDS DERIVED FROM THE CULTIVATION OF CANNABIS AND THE TRAFFICKING OF MARIJUANA.
- DETERMINE THE EXTENT OF CANNABIS CULTIVATION THROUGHOUT CALIFORNIA ON PUBLIC AND PRIVATE LANDS.
- PROMOTE THE SAFE USE OF PUBLIC AND PRIVATE LANDS BY THE REMOVAL OF LAWLESS ELEMENTS WHO ILLEGALLY USE THOSE LANDS TO CULTIVATE CANNABIS.
- REDUCE ASSOCIATED CRIMINAL ACTIVITY IN AREAS WHERE CANNABIS CULTIVATION OCCURS.
- REDUCE THE ENVIRONMENTAL IMPACT ON PUBLIC LANDS CAUSED THROUGH THE UNCONTROLLED INTRODUCTION OF SUBSTANCES HARMFUL TO THE ENVIRONMENT BY ILLEGAL CANNABIS CULTIVATION.

- DETER POTENTIAL CANNABIS CULTIVATORS.
- DEVELOP A PUBLIC AWARENESS AND CRIME PREVENTION PROGRAM TO INFORM THE PUBLIC OF THE INHERENT DANGERS ASSOCIATED WITH THE CULTIVATION OF CANNABIS AND THE TRAFFICKING OF MARIJUANA.
- EVALUATE, AT THE END OF THE GROWING SEASON, THE TASK FORCE'S EFFECTIVENESS AT ACCOMPLISHING THESE OBJECTIVES.

THE MEMBER AGENCIES OF CAMP HAVE DEVELOPED A STATEWIDE APPROACH TO CALIFORNIA'S CANNABIS CULTIVATION PROBLEM. THE ENFORCEMENT ASPECTS OF THE PROGRAM WILL BEGIN IN AUGUST TO ENHANCE THE NORMAL EFFORTS OF SHERIFFS' DEPARTMENTS. HELICOPTER SUPPORT IS EXPECTED FROM THE U.S. CUSTOMS AND THE CALIFORNIA NATIONAL GUARD. HIGH ALTITUDE PHOTOGRAPHY SUPPORT IS BEING FUNDED BY A COMBINATION OF FEDERAL AGENCIES. THE CAMP EFFORT SHOULD RESULT IN AN INVENTORY OF THE CANNABIS CULTIVATION PROBLEM IN CALIFORNIA'S HIGH DENSITY GROWING AREAS AND AN EFFICIENT AND EFFECTIVE RESPONSE. CAMP REPRESENTS THE MOST COMPREHENSIVE LAW ENFORCEMENT RESPONSE TO THIS SERIOUS DRUG LAW ENFORCEMENT PROBLEM.

Mr. CHAPPIE. The next panel is comprised of Mr. Brady, resident manager of California Pacific; Mr. Muir, forest manager, Southern Pacific Land Co.; and Mr. Stevens from Chico.

Are those folks present? Please come forward.

Mr. LEWIS. We have a panel of one.

Mr. CHAPPIE. It appears we have a panel of one, and if you recall, Mr. Lewis, yesterday in my opening comments I expressed concern over the fact that people are being intimidated. I hope that is not the case for the two witnesses that are not with us this morning.

At any rate, we will proceed. If you will, Mr. Muir.

TESTIMONY OF ROBERT J. MUIR, MANAGER, FORESTRY, SOUTHERN PACIFIC LAND CO.

Mr. MUIR. Mr. Chairman, members of the committee and staff, my name is Robert J. Muir. I am the manager of forestry for Southern Pacific Land Co., headquartered here in Redding, Calif.

So that you will be aware of my relationship with the public lands, let me explain. I am responsible for the management of 600,000 acres of private, commercial timberland owned by the Southern Pacific Land Co. here in northern California. This timberland is situated in 11 counties here in the north State—Siskiyou, Shasta, Trinity, Tehama, Plumas, Nevada, Placer, Yuba, Sierra, Butte, and El Dorado Counties.

Generally the Southern Pacific Land Co. timberlands are situated in a checkerboard pattern, with the alternate sections being owned by either the U.S. Forest Service, within the national forests, or by the U.S. Bureau of Land Management, outside of the national forests. This checkerboard ownership pattern involves the

Southern Pacific Land Co. closely with the Klamath, Shasta-Trinity, Plumas, Tahoe, and El Dorado National Forests.

The management of Southern Pacific Land Co.'s timberlands is implemented by a staff of 47, including 41 professional foresters and engineers situated in four offices here in the north State.

To date, in carrying out our forest management operations, we have only had one serious confrontation with the marihuana growers wherein one of my foresters was threatened with bodily harm. Fortunately, the situation did not result in violence.

However, my staff comes across perhaps 3 to 10 sightings a year wherein, during the course of their field work, our foresters discover either current marihuana plantations or evidence of past cultivation on Southern Pacific Land Co. lands. This illicit activity is by no means restricted to the public lands. When such discoveries are made on Southern Pacific land, the information is turned over to the local authorities, usually the county sheriff. We also report such discoveries to the Southern Pacific Police Department.

The frequency of our discovering these illicit plantations seems to be increasing with the passage of time. Ten years ago we did not have to contend with the problems associated with this clandestine activity on private timberland. Marihuana cultivation has caused the people on my staff to be more guarded and careful in doing their field work so as not to stumble into very dangerous confrontations.

This activity has also necessitated additional training for my staff to enable them to contend with the problems in the safest way possible.

Additionally, the existence of these plantations, located in the remote and secreted areas, tended both night and day, increases the risk of wildfire and also creates pollution problems. The Southern Pacific Land Co. would, therefore, much prefer these problems be eliminated.

The Southern Pacific Land Co. asks that the Congress do all that is possible to discourage and eliminate the illicit uses of both private and public timberlands. We suggest that more qualified manpower and enforcement activities, stiffer penalties upon conviction, and education of the public as to the extent of the problem are the keys to eliminating this illicit activity here in northern California.

[Mr. Muir's prepared statement follows:]

PREPARED STATEMENT OF ROBERT J. MUIR, FORESTRY MANAGER, SOUTHERN PACIFIC LAND CO.

My name is Robert J. Muir. I am the Manager, Forestry, for the Southern Pacific Land Company, headquartered here in Redding, California.

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Generally the Southern Pacific Land Company timberlands are situated in a checkerboard pattern, with the alternate sections being owned by either the U.S. Forest Service, within the National Forests or by the U.S. Bureau of Land Management, outside of the National Forests. This checkerboard ownership pattern involves the Southern Pacific Land Company closely with the Klamath, Shasta-Trinity, Plumas, Tahoe and Eldorado National Forests.

The management of Southern Pacific Land Company's timberlands is implemented by a staff of 47, including 41 Professional Foresters and Engineers, situated in 4 offices here in the north state.

To date, in carrying out our forest management operations, we have only had one serious confrontation with marijuana growers wherein one of my Foresters was threatened with bodily harm; fortunately, the situation did not result in violence. However, my staff comes across perhaps 3 to 10 sightings a year wherein during the course of their field work, our Foresters discover either current marijuana plantations

or evidence of past cultivation on Southern Pacific Land Company lands. This illicit activity is by no means restricted to the public lands. When such discoveries are made, on Southern Pacific lands, the information is turned over to the local authorities, usually the County Sheriffs. We also report such discoveries to the Southern Pacific Police Department.

The frequency of our discovering these illicit plantations seems to be increasing with the passage of time. Ten years ago, we did not have to contend with the problems associated with this clandestine activity on private timberlands. Marijuana cultivation has caused the people on my staff to be more guarded and careful in doing their field work, so as to not stumble into very dangerous confrontations. This activity has also necessitated additional training for my staff, so as to enable them to contend with the problems in the safest way possible.

Additionally, the existence of these plantations, located in remote and secreted areas, tended both day and night, increases the risk of wildfire, and also creates pollution problems. The Southern Pacific Land Company would therefore much prefer these problems be eliminated.

The Southern Pacific Land Company asks that the Congress do all that is possible to discourage and eliminate these illicit uses of both private and public timberlands. We suggest that more, qualified manpower for enforcement activities, stiffer penalties upon conviction, and education of the public as to the extent of the problem, are the keys to eliminating this illicit activity here in Northern California.

Mr. CHAPPIE. Mr. Muir, I would like to go off to dwell just for a moment on your comment relating to stiffer penalties. There seems to be some degree of frustration, and I suspect that I share it, in that in so many instances there seems to be an inability on the part of the authorities to apprehending these folks to get them confined to apply necessary restraints so that hopefully we could discourage that element in our society. I suspect that you share that frustration, in that we seem to be unable to incarcerate these folks, to levy the fines, to confiscate, for whatever reason.

Mr. MUIR. Well, it is just my personal observation that when someone is convicted of marihuana cultivation, it isn't very long before he is back at the same activities. It doesn't seem to be much deterrent to discourage future activity in that field. It is very frustrating to us as timberland owners.

To vary a little bit and expand on some of the problems we contend with, if you would note, perhaps you haven't really seen the pattern, but perhaps you are familiar with the antiherbicide issue in the north State and you will note that most of the noise against use of herbicides like 2,4D comes or emanates from, I am talking about the use on timberlands, from these counties where marihuana growth is widespread.

Here in the agricultural portion of the State, Sacramento and the San Joaquin where 2,4D is used by the millions of pounds annually, no one ever says anything about it. But here, in the timberlands, where foresters service would use perhaps—spray once in 60 years on limited acres of timberland, there is very rigid resistance to that use, at both State and county level.

Mr. LEWIS. Let us be straight out about what you are suggesting. You are not just implying that there might be a connection between these activities and antiherbicide use, but that the public is being stirred into opposition to the use of herbicides because of the people who want to be able to freely grow the marihuana on public and private lands?

Mr. MUIR. There are a lot of people who are very sincere and probably have well founded beliefs that the use of herbicides is perhaps a poor policy, for whatever reason they have come to that. But there is also an element that is using the timberlands for other uses other than the growth of timber, one of which is the growth of marihuana. And if it were to be commonly known that herbicides such as 2,4D were being used in the north State, it would probably devalue the value of that marihuana product, if not discourage its use entirely.

Mr. LEWIS. Mr. Chairman, Mr. Muir has raised a very significant question. It seems to me that one of the lines that we have not involved ourselves in is the question of applying some initial research money to the question of agent sprays, that might impact marihuana and these farms, yet that would not damage other elements of the environment.

Mr. MUIR. Might be a way, I don't know, Congressman.

Mr. LEWIS. I don't know, either. I know you want to get——

Mr. CHAPPIE. Very emotional issue, Mr. Lewis.

Mr. LEWIS. I know down in San Bernardino we don't get into it.

Mr. CHAPPIE. Any other questions?

Mr. LEWIS. I would like to know if you had direct information that other sizable private landholders have exactly the same problem as you do.

Mr. MUIR. I don't have any definite information, but I would infer that if they have timberlands in the north State, that probably if they haven't encountered it already, they probably will in the future. It depends on how remote your timberlands are from areas of development, or where there are population centers.

Our timberlands, many of them are very, very remote and we do not get to all of our lands every year. We are perhaps only active on 30,000 acres a year in the entire north State of 600,000 acres. There are other lands that are kind of lying fallow and just growing, that we don't look at each year.

Mr. LEWIS. In a comprehensive law enforcement planning effort to do more than eradicate, but to eradicate, investigate, follow up on this very serious problem, one would need the cooperation of sizable landholders to allow law enforcement activity on their property.

As an illustration of that point in question, would your organization have difficulty in allowing law enforcement activity on their property?

Mr. MUIR. They have granted that to the local authorities already, in a number of the counties in the north State.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. CHAPPIE. Mr. Muir, we appreciate your testifying and the time you have taken to join us.

Mr. MUIR. Thank you, Mr. Chairman.

Mr. CHAPPIE. We thank you.

Our last panel will be comprised of Ms. Carla Lowe, vice president of the National Federation of Parents for Drug-Free Youth; Thomas Crofoot, supervisor from Mendocino County; and Miss Kathy Hansen, Shasta County Chapter of the Dressage Society.

Would those witnesses please come forth?

Mr. CHAPPIE. Mr. Crofoot, would you lead off, please?

TESTIMONY OF THOMAS H. CROFOOT, DEPUTY SECRETARY FOR LAW ENFORCEMENT LIAISON FOR THE YOUTH AND ADULT CORRECTIONAL AGENCY OF THE STATE OF CALIFORNIA

Mr. CROFOOT. Yes, Mr. Chairman, Congressman Lewis. I want to thank you for the opportunity to appear before this committee. For the last several years I have been involved with the same concerns that you are looking at right now. And, quite frankly, I felt like I had an anchor tied to my belt and now I see that there is some movement that I think is very positive.

In form of introduction, my name is Thomas Crofoot and I am now deputy secretary of the Youth and Adult Correctional Agency for the State of California, with the specific job of being law enforcement and local government liaison for that agency.

Because my remarks are going to be based on my personal experience and perspective, I will tell you that for 17 years I was in local law enforcement. I have both prosecuted and defended drug cases as an attorney, and I was, until my recent appointment with

the correctional agency, was on the board of supervisors from Mendocino County.

I know that you have received a lot of information on the subject. I hope that I am not too repetitive, but I do want to speak on the effect of marihuana cultivation on local governments and populations, and I will use my experiences in Mendocino County as the basis for my testimony.

In Mendocino County, which has 70,000 people, there is a budget of approximately $40 million; 5.6 million goes to the administration of justice. That is 14 percent of the total budget, and actually over 50 percent of those dollars which are spent with some discretion, by the board of supervisors and are not mandated expenditures.

Additionally, of course, our sheriff, as I suppose every sheriff has, is requesting more funding this year due to jail overcrowding and other law enforcement problems. Any activity which affects law enforcement through investigation, arrest, prosecution, appeal, incarceration, necessarily impacts on this budget, and marihuana is one of those activities that create a significant impact on the North Coast.

A single raid requires 7 to 10 deputies, equipment, film, flight expenses, mileage, food, overtime, and many hidden collateral costs. This doesn't account for the expenses to the courts, the district attorney, the public defender, incarceration, probation departments, or welfare.

I have heard a number of people express criticism of the amount of money that the counties spend for the prosecution of marihuana cultivation offenses. However, I think it is important that we recognize the reason and the alternatives to these expenditures. Although Mendocino County has ideal geography and climate for the cultivation of a superior quality of marihuana, it is not the county where this marihuana is consumed. So I think we have to ask ourselves how many dollars are spent in the major urban areas of the entire country for the prosecution of drug-related offenses which directly result from Mendocino County sinsemilla. And how many dollars are spend on rehabilitating high school drop-outs and failures who have checked out as a result of drug abuse which began with a casual use of Mendocino County sinsemilla.

I think these are all collateral expenses that generally are not recognized by the public as a whole.

In Mendocino County, our problems with marihuana cultivation have magnified many times over the past half dozen years. In 1977 there were four arrests and 4,000 plants seized. In 1978, we had 31 arrests and 12,000 plants. In 1979 we had 79 arrests and 15,000 plants out of 106 gardens. In 1980 we had 123 arrests, 10,200 plants from 159 gardens, and in 1981, 152 arrests, 15,300 plants from 206 gardens.

Now, at $1,200 to $2,000 a plant, we are dealing with a major crime problem. These aren't the back yard variety growers growing for their own consumption; they are major wholesale distributors and suppliers of marihuana. And the most frightening part of the statistics is our sheriff's estimate, they are only eradicating 20 to 30 percent of the annual crop. This "fast buck" in five and six figures is clearly incentive for criminals to gravitate to the county. Those who would come in and break the law growing marihuana,

and those who would come in and break the law by stealing it, and both of those will resort to violence and murder to protect and steal these profits.

Make no mistake about it; there is as much money involved in marihuana cultivation as there was in bootlegging, and the same types of criminals are involved.

The Mendocino County sheriff has confiscated 100 tons of marihuana worth $4 million in street value, but because of the magnitude of marihuana cultivation in Mendocino County, there is a drain on the entire administration of justice budget which siphons off dollars which could and should have been allocated to other parts of the law enforcement mission.

There are those who argue that this is a boon to the local economy, that it is a viable agricultural crop.

Mr. Chairman, those arguments are bull. I guess that, to be basic, that is the only thing I can say about it.

Marihuana is nothing more nor less than an illegal cash crop. Law enforcement intelligence now tells us that these dollars don't stop when the drug is on the marketplace. The marihuana dollars are reinvested now into the hard narcotics where additional lives are ruined so these criminals can further profit.

These growers are not your garden variety hippie doing his own thing. These people are sophisticated criminals and we shouldn't let the proponents ever lull us into believing any differently.

Approximately 5 percent of the gardens seized in Mendocino County have been on public lands. The balance have been on private property. Now, in our county the major land interests are the timber companies, wool growers, farmers, and ranchers. These landowners have been intimidated by growers who, during the marihuana season, will trespass on their property to plant marihuana and then, through express and implied threats and vandalism, will prevent them from reporting the illegal crops to the proper authorities.

Tourists and residents using rural public roads have been accosted by gun-toting criminals who have turned them away from the area.

As the harvest season comes around, there is a certain paranoia that takes over. Law-abiding citizens are afraid to travel those rural roads through our county, those places where they can legally go—sometimes even on their own property. Growers are concerned—I am talking about the illegal growers—are concerned that their crop might be hijacked, so they arm themselves and become violent at any perceived threat.

Gentlemen, I don't believe we should give up one inch of county to any criminal agency. We must put forth the necessary money, personnel, and material to eradicate—not control—not reduce—but eradicate the marihuana farms.

We cannot continue to require other countries to cooperate in eliminating marihuana cultivation when we don't make a total commitment to its elimination here. Socially it is a disastrous situation. Our children aren't stupid, and what they perceive is a tacit approval by government at all levels of marihuana, and when they get that message, they believe that marihuana isn't as bad as we attempt to tell them it is.

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Economically, it costs more to eliminate marihuana than local governments can afford. Yet, it is not a local problem. It is a national problem.

I propose that the Federal and State Governments resolve to eradicate all domestic marihuana gardens, and then provide sufficient dollars, personnel, and materiel to accomplish this purpose.

This effort should use the full state of the art technical support. It should begin at the onset of the growing season and continue until access is no longer possible due to the weather. It should concentrate first and foremost on the destruction of the crop, and secondarily on prosecution. The affect on the grower will be in his pocketbook and not in the minimal sentences as generally meted out.

This is not to say there should not be vigorous and effective prosecution. Courts should evaluate the potential profit to the grower and the potential loss to our young people and let the punishment fit the crime.

Finally, law enforcement investigation and intelligence gathering should be maintained throughout the year. And this cycle should continue until the problem is eliminated. Only a total concentrated Federal, State, and local commitment can resolve the problem, and a half-hearted effort will not.

In addition to that statement, gentlemen, I would like to present to you a couple of items that, unfortunately, I only brought one copy of. One is a resolution of the Mendocino County Board of Supervisors requesting marihuana enforcement assistance that was passed at my request in July 1982 and was forwarded to the Federal agencies and the State agencies.

Mr. CHAPPIE. We will make that a part of the record.

Mr. CROFOOT. Thank you.

The second is something that we did this year, and I think it is—it responds to a request that Congressman Lewis had of the previous speaker. And that relates to consent to search on private property and whether the people are intimidated, in fact. And we found through a meeting that I called in Mendocino County, and Supervisor Sparks had a similar meeting in Humboldt County, where we called together the major landowners and found out that they are, in fact, intimidated.

Timber companies cannot afford to have a $100,000 bulldozer burned up in the woods, and a rancher cannot afford to have somebody plinking his cattle with a .22. You know, one shot a day and pretty soon the cows start dropping dead and he wonders why, and his profits are gone. And these types of intimidations are used by the growers.

So what we did was put together a "consent to search" form that the sheriff or sheriff and district attorney have where the landowners can come in and ahead of time consent for investigations to go on on their property, this being done before the season begins. It doesn't put the burden on the landowner when the investigation is completed.

Mr. CHAPPIE. Thank you. That will also be included in the record.

[The resolutions referred to follow:]

RESOLUTION NO. 82-187

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REQUESTING MARIJUANA ENFORCEMENT ASSISTANCE

WHEREAS Mendocino County, because of its geography and climate is capable of growing large quantities of marijuana; and

WHEREAS this situation has resulted in a large criminal element engaging in the commercial cultivation of marijuana in this county; and

WHEREAS the law abiding citizens of Mendocino County and the Mendocino County Board of Supervisors abhor this activity and the negative county reputation that results from large scale commercial marijuana cultivation; and

WHEREAS the produce of this cultivation is marketed in areas outside the County of Mendocino and the State of California; and

WHEREAS the optimum location to stop the distribution of marijuana is at its source; and

WHEREAS the optimum means to stop the use and distribution of marijuana is to destroy by any legal method the onerous crop and successfully prosecute the grower; and

WHEREAS due to extreme budgetary constraints being suffered by Mendocino County, it will not be possible to provide, from the County budget, sufficient funds, personnel or materiel to adequately eliminate the anticipated 1982 crop; and

BE IT RESOLVED that the Mendocino County Board of Supervisors requests that immediate consideration be given by the government of the State of California and the United States government to immediately provide sufficient funds, personnel and materiel to assist the Mendocino County Sheriff and District Attorney to completely destroy the illegal 1982 marijuana crop and to successfully prosecute commercial marijuana growers; and

BE IT FURTHER RESOLVED that the Mendocino County Board of Supervisors encourages the courts of this County to strengthen their sentencing and fining policies where the sale and commercial cultivation of marijuana, and the distribution of cocaine and other illegal narcotics is involved; and

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to:

President Ronald Reagan
Congressman Don Clausen
Senator S.I. Hayakawa
Senator Alan Cranston
U.S. Attorney General Smith
State Senator Barry Keene
Assemblyman Doug Bosco
Attorney General George Deukmejian
Drug Committee Legislators at Federal & State Levels

The foregoing resolution was introduced by Supervisor Crofoot, seconded by Supervisor Cimolino, and PASSED AND ADOPTED, this 20th day of July, 1982 by the following vote on roll call:

AYES: Supervisors Crofoot, Eddie, Cimolino
NOES: Supervisors Hamburg, de Vall
ABSENT: None

WHEREUPON, the Chairman declared said resolution PASSED AND ADOPTED, and SO ORDERED.

Norman L. de Vall, Chairman
Board of Supervisors

ATTEST: ALBERT P. BELTRAMI
Clerk of the Board

By: _____
Rollene Billings, Deputy Clerk

RESOLUTION NO. 83-128

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS
IN SUPPORT OF CONSENT TO SEARCH AGREEMENTS

WHEREAS, marijuana has been illegally cultivated for commercial purposes in Mendocino County; and

WHEREAS, private landowners have discovered marijuana being cultivated on their property without their permission and against their wishes; and

WHEREAS, private landowners have been intimidated by express and implied threats and vandalism to prevent them reporting the illegal gardens to the proper authorities; and

WHEREAS, Mendocino County law enforcement is desirous of enforcing the law regarding marijuana cultivation without placing private landowners in any real or perceived jeopardy; and

WHEREAS, the Sheriff and the District Attorney of Mendocino County, farmers, members of the forestry industry, woolgrowers and private landowners have expressed strong support for giving law enforcement advance consent to enter on private lands to locate growing sites and seize marijuana without involving the landholder.

NOW THEREFORE BE IT RESOLVED that the Mendocino County Board of Supervisors strongly endorses a program wherein landowners may sign "consent to search" agreements which will allow law enforcement officers to enter private lands without a search warrant to seek out and seize marijuana;

AND BE IT FURTHER RESOLVED that the Board of Supervisors requests landowners to participate in this program by contacting the Mendocino County Sheriff's Department or the Mendocino County District Attorney's Office to sign a "consent to search" agreement;

AND BE IT FURTHER RESOLVED that this resolution be widely distributed to the news media so that those persons who might otherwise grow marijuana on private lands will be aware of this public-private partnership to eliminate marijuana growth from Mendocino County.

The above and foregoing resolution was introduced by Supervisor Crofoot, seconded by Supervisor Cimolino, and carried, this 12th day of April 1983, by the following vote on roll call:

AYES: Supervisors Crofoot, Eddie, Cimolino, de Vall, Hamburg
NOES: None
ABSENT: None

WHEREUPON the Chairman declared said resolution ADOPTED AND SO ORDERED.

Dan Hamburg
DAN HAMBURG, CHAIRMAN

ATTEST: ALBERT P. BELTRAMI
Clerk of the Board

By Joyce A. Beard

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

ALBERT P. BELTRAMI
Clerk of the Board
By: Eileen Billings

AUTHORIZATION FOR ENTRY

AND

CONSENT TO SEARCH

The undersigned hereby grants to the Mendocino County Sheriff and agents and organizations authorized by him permission to enter upon any and all lands owned or lawfully controlled by the undersigned for the purpose of locating and seizing contraband, including but not limited to growing marijuana, and any evidence relating to offense involving said contraband.

The undersigned further states that no persons have been authorized to enter upon said land for the purpose of cultivating said contraband and any person so found may be arrested and removed from said land as otherwise provided by law.

The Sheriff or his designees shall make reasonable efforts to notify the undersigned or his designee prior to such entry for coordination purposes, but the failure to do so shall not in any manner be deemed to negate the authorization granted herein.

_____ _____

Date Signature and Title

Person to be notified: _____

_____

(Phone Number)

Mr. CROFOOT. If I may just respond to three questions or three remarks that I had heard of previous panels and my perception of these.

One is how this coordination should take place. From my perspective, at local government, I think that the local sheriff should have—should be the front man, the point man in these investigations. He has the local knowledge, he knows the people, he knows the areas and he has certain intelligence sources.

But I think that this should be strongly supported and coordinated at the State and Federal levels. He needs the manpower. Our sheriff has one man full time and we happen to be one of the worst counties. I say we happen to be one of the worst. It is recognized most because we take the most. Enforcement activity is going on.

The second is that I think that there has not been, there has not been enough effort toward the conspiracies. The people who are growing this crop in Mendocino County are not the people who are purveying it on the streets in Los Angeles. Some place between that grower and that purveyor there is an organization. And you can call it a grower's association, you can call it a co-op, you can call it a conspiracy, you can call it organized crime, but there is something in there and we are merely looking at the tip of the iceberg when we are looking at the gardens.

I think we have to have some deep undercover people working on this major organizational problem.

The third, just as an aside with regard to the poppies, we have come up with heroin, opium poppies in some of the marihuana fields. Quite frankly, those growers who were putting the poppies in were not popular with the rest of the marihuana growers because they have been successful with their propaganda over the years by saying that marihuana is just a recreational drug and doesn't lead to any other drug use, and there are a number of people that are ready to believe that.

And when the poppies are found in conjunction with the marihuana, that destroys that argument. So that is, I think that is the reason that we don't have as much of the mix as we would have otherwise.

Thank you very much.

Mr. CHAPPIE. Do you have a prepared copy of your statement?

Mr. CROFOOT. I have, and I have given it to your investigator.

Mr. CHAPPIE. Thank you. That will be included in the record.

[Mr. Crofoot's prepared statement follows:]

TESTIMONY OF THOMAS H. CROFOOT BEFORE THE U.S.
HOUSE OF REPRESENTATIVES SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL AT REDDING, CALIFORNIA

JULY 23, 1983

Dear Mr. Chairman, members of the Committee.

My name is Tom Crofoot and I am the Deputy Secretary for Law Enforcement Liaison for the Youth and Adult Correctional Agency of the State of California.

Because my remarks are based on my personal experience and perspectives, I should tell you that I was in local law enforcement for seventeen years, an attorney who both prosecuted and defended criminal cases and a member of the Mendocino County Board of Supervisors.

I know you have received volumes of testimony on this subject and I hope mine will not be too repetitive.

I would like to speak on the effect marijuana cultivation has on local government and populations. I will use my experiences in Mendocino County as a matrix for my presentation.

In this rural county of 70,000 people there is a budget of approximately forty million dollars. Of this, 5.6 million dollars are earmarked for the administration of justice. This is fourteen percent of the total budget, or a full fifty percent of those funds spent at the descretion of the County Board of Supervisors. Additionally, the sheriff has requested more funding this year due to jail overcrowding, additional crime resulting from increased population

and other similar problems.

Any activity which affects law enforcement through investigation, arrest, prosecution, appeal and incarceration necessarily impacts this budget. Marijuana enforcement is one of those problems that creates a severe impact.

A single raid requires seven to ten deputies, equipment, film, flight expenses, mileage, food, overtime and many hidden collateral costs. This does not account for the expenses to the courts, the district attorney, public defender and incarceration.

Many citizens are critical of county expenditures for the prosecution of marijuana cultivation offenses. However, it's important to recognize the reason and the alternatives.

Although Mendocino County has ideal geography and climate for the cultivation of a superior quality of this plant -- it is not the county where the product is consumed.

We must ask ourselves:

How many dollars are spent in the major urban areas of this country for the prosecution of drug-related offenses because of Mendocino County Sensemilla?

How many dollars are spent in drug programs?

How many dollars are spent on rehabilitating high school dropouts and failures who have checked out as a result of their use of marijuana?

These are all collateral expenses not generally recognized by the public as a whole.

Our problems with marijuana cultivation have magnified many times over in the past half-dozen years.

> In 1977 there were four arrests made and four thousand plants seized.
>
> In 1978 thirty-one arrests and twelve thousand plants.
>
> In 1979 seventy-nine arrest and fifteen thousand plants in one hundred and six gardens.
>
> In 1980 one hundred twenty-three arrests and ten thousand two-hundred plants from one hundred fifty-nine gardens.
>
> In 1981 one hundred fifty-two arrests and fifteen thousand three hundred plants from two hundred-six gardens.

At twelve hundred to two thousand dollars a plant we are dealing with a major crime problem. These are not the backyard variety growers - growing for their own consumption. The frightening part of these statistics is that our sheriff estimates they are only eradicating twenty to thirty percent of the annual crop.

The "fast buck" in five and six figures is clearly an incentive for criminals

to gravitate to the county. Those who would break the law by growing marijuana. Those who would break the law by stealing it. And both stoop to violence -- including murder to protect or to steal the profits. Make no mistake about it, there is as much money involved in marijuana cultivation as there was in bootlegging, and the same types of criminals are involved.

The Mendocino County Sheriff has confiscated One Hundred Tons of marijuana, worth 400 Million Dollars at street value. Yet, because of the magnitude of marijuana cultivation in Mendocino County, there is a drain on the entire administration of justice budget which drains off dollars which could and should have been dedicated to other parts of the mission.

There are those who would have yo believe this is a boon to the local economy and that marijuana should be counted as a viable agricultural crop.

Mr. Chairman, these arguments are pure bull!!

Law enforcement intelligence tells us that these obscene dollars don't stop when this drug is in the marketplace. The marijuana dollars are re-invested into the hard narcotics where additional lives are ruined so that these foul criminals can further profit.

These growers are not your garden variety hippie doing his own thing. These people are sophisticated criminals and we shouldn't let the proponents ever lull us into believing any differently.

Approximately five percent of the gardens seized in Mendocino County have been on public lands. The balance have been on private property.

In our county, the large land interests are timber companies, woolgrowers, farmers and ranchers. These landowners have been intimidated by growers who, during the marijuana growing season, will trespass on their property to plant marijuana and then through express and implied threats and vandalism, will prevent them from reporting the illegal crops to the proper authorities.

Tourists and residents using rural public roads have been accosted by gun-toting criminals who have turned them away from the area.

There is a paranoia that takes over as the harvest season approaches. Law abiding citizens are reluctant to travel in areas they can legally go -- sometimes even on their own property. Growers are concerned that their crop might be hijacked and so they arm themselves and become violent at any perceived threat.

Gentlemen -- I don't believe we should give up one inch of this county to any criminal agency and I believe we must put forth the necessary money, personnel and materiel to erradicate -- not control -- not reduce -- but erradicate these gardens.

We cannot continue to require other countries to cooperate in eliminating marijuana cultivation when we do not make a total commitment to its elimination here. Socially, it's a disastrous situation. Our children are not stupid. They can see a tacit approval throughout government. This cannot help but give them the message that marijuana is not that bad.

Economically, it costs more to eliminate than local governments can afford -- yet it is not a local problem, it is a national problem.

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I propose the Federal and State governments resolve to eradicate all domestic marijuana gardens and then provide sufficient dollars, personnel and materiel to accomplish this purpose.

This effort should use the full state-of-the-art technical support. It should begin at the beginning of the growing season and continue until access is no longer possible due to the weather. It should concentrate first and foremost on destruction of the crop and secondarily on prosecution. The affect on the grower will be in his pocketbook and not in the minimal sentences meted out.

This is not to say there should not be vigorous and effective prosecution. Courts should evaluate the potential profit to the grower and the potential loss to our young people -- and let the punishment fit the crime!

Finally, intelligence should be sought throughout the year -- and this cycle should continue until the problem is eliminated. A total commitment can resolve the problem. A half-hearted media event will not.

Thank you. I am available for any questions you may have.

Mr. CHAPPIE. Mr. Lewis, do you have a question?
Mr. LEWIS. No, let's go to the panel.
Mr. CHAPPIE. I am sorry. Miss Hansen.

TESTIMONY OF KATHY HANSEN, SHASTA CHAPTER, CALIFORNIA DRESSAGE SOCIETY

Ms. HANSEN. Thank you.

I am here actually on behalf of the Shasta chapter of the California Dressage Society, which in our particular area of northern California is pointed less toward show ring competition with horses than other local chapters throughout the State. We do do a lot of trail riding and, as a result I have ended up being backed into the marihuana situation.

As almost all local people know, and I live about five miles down the road, there is this understanding that somewhere out there in the woods are guys growing marihuana, and they can be a problem. In my involvement with the horses and in teaching students to ride, I used to take them out on the trails all over this country. I decided it would be a smart move to try to find out what was going on, and so I started contacting law enforcement agencies. And the more I contacted and the more I listened, the more incredible the entire problem became.

It ended up with me spending around a year off and on doing research into what everybody else had found, including conducting interviews with the deputies, their immediate supervisors, and in

some cases, the sheriffs of the northern California counties. I have also been sort of a sponge for local input into all different aspects of this, and so I think possibly my biggest help to you would be to give you some general ideas, trends, kinds of things that are being assumed, known, this kind of thing, at the local level.

As far as these kinds of things are concerned, I think I can support the general trends that have been given to you throughout this hearing. I think you have the adequate statistics from the people who have the background and the knowledge to do that.

The things that I was finding at the local level in talking to the investigators who were out in the fields in no way contradict anything that has been presented before this committee. I think it is very important that we realize that although there are minor detailed differences county to county, the general trends are the same. It is apparent, at the time I was talking to these investigators, which was in April of this year, that the violence is more prevalent on the coast and gradually increasing as one moves inward.

So it seems to be directly connected to the amount of time the areas have been in cultivation. They had 22 homicides in Humboldt County. We haven't had any in Shasta County directly related to marihuana cultivation, but the feeling is that the violence is coming inland as the growers move.

There are minor differences. In Trinity County they use pit bulldogs, in Shasta County, they use German shepherds. Those are the kind of details you are looking at, but basically the problems are there and it looks like it is going to get worse. It was a real education to go and visit these men and have them pull out their little picture files. We sort of think, well, maybe things are getting out of proportion, but it was an experience to go and visit with them and get kind of—I think fairly stable feedback on this kind of thing.

There are some problems with this that haven't really been touched. As a public health microbiologist, which is my profession, I am a little concerned with the dogs running around the countryside, because anybody who is growing marihuana illegally is probably not going to license dogs. They may or may not have been vaccinated for rabies.

We have a case of plague in Shasta County at this point, and I see more and more problems, because you put these dogs out into the field where they can contact the rodent reservoirs, remember, plague and rabies are both transmitted from pools that are naturally occurring in the wild populations, and I think that when you get people out there in the forest, you are going to have an increase in public health problems, as well as the violence that these people are involved in.

I think that tourists are being intimidated. The general feeling is that the reports are not coming back to the local authorities from the tourists. They are getting run off at gunpoint, and they are going back and telling their friends, so what is going to happen in those counties who have a high rate of retirement population coming in or a high number of tourists coming in, that they are suddenly going to lose this economic input and they are not going to know why.

I think that the ecological problems that are happening in the forests are not necessarily being brought to the fore—you gentlemen saw that bag of trash that those people pulled out. I mean, it seems to me to pay special Forest Service agents who have gone through Glenco Academy to pick up trash is rather a problem. And yet this is what they are ending up having to do because if they leave all those things up there, they are littering up our forests. And we are finding it all the time.

As you ride out into the forests, they are becoming trashier and trashier. I think the herbicide connection that was brought up by the last panel needs to be looked into very carefully.

Personally, I have had some input from individuals that they are going to try and crack down and make that connection through some local Forest Service agencies of showing that some of the ringleaders in the herbicide protests are in fact involved in illegal cultivation of marihuana, and 2,4D kills marihuana quicker than it kills tomato plants.

I think that the local control issue is very important. These people do in fact have contact with what is going on at the local level. I find that there is some fear, in talking to the men that work out in the fields, that they are going to be told how to do it without having had enough really input from their end of it as to the conditions that they have to work under. In other words, their feeling is bringing a big Huey helicopter into Trinity isn't going to work as well as you saw it there in the relatively open areas of Mendocino County.

There are a lot of variations and problems involved in terrain and how these things are approached, and I think in the long run it is those of us who are living with the problem who have to be responsible in a way for the entire picture.

As it has been pointed out, the "ripoff" kinds of procedures have not been necessarily effective. We need to go in and we need to prosecute these people. As the law stands, that is the county's responsibility. There are a couple of things that can be done to help that.

In the California Legislature, there is being considered a law that would enable counties to profit from their confiscated material from these crops. I think this would be a positive way of generating money toward the counties, but I don't think that we can do it by ourselves. But I think that it needs to be done very carefully from the Federal level.

I would like to leave you with the fact that when my husband and my son are both very good cooks, and there is no way I would ever discourage them from when they want to fix dinner, because I enjoy eating it very much. But somebody has to wash the pots and pans when they are done, and I think this is the position that the counties are in, is that we can bring in big teams of law enforcement, we can go in and we can raid the camps, but I think we need to be very, very careful as to whose responsibility it is to wash the pots and pans when we are done.

I thank you.

Mr. CHAPPIE. Thank you, Miss Hansen.

Mr. Steffans—is that the correct pronunciation?

TESTIMONY OF JERRY STEPHENS, CATTLE RANCHER

Mr. STEPHENS. Stephens.

Mr. CHAPPIE. Stephens. We have been moving a bit faster than we anticipated. For that, I apologize, and we would like to take your testimony at this point. Please identify yourself for the record.

Mr. STEPHENS. Sean Patterson asked me to be here today. I got your letter, but Sean Patterson asked me to be here. I run cattle in the Plumas National Forest up here just west of Lake Almanor, and I was getting ready to push a bunch of cattle up Shanghai Creek, so I thought, well, I will go check this feed first and see how it is. And I come down through here and I come across this patch probably the size of this area right here, and pine trees.

It was fenced with chicken wire fence and poles. Well, I kind of knew what it was right—figured what it was right then and I thought I had just better get out of here. And I felt like I had eyes on me all the way down the trail.

So I come on back and I thought, well, instead of pushing those cattle up there and utilizing that land up there, I think I will just bypass it. And that is exactly what I did, because I felt like I was watched from that time on.

Later on that year, there was a group of doctors and lawyers, they call themselves the Comanche Riders, they come up there for week and they ride those trails, and they asked me if I wouldn't kind of ride them around. So I told them—finally I told Dr. Ocher, I said, "I think we would be better off if we don't go down to Shanghai. There is a crop down there of marihuana. Might be best if we don't go down there." But I don't know—I—we notified the Forest Service, and as far as the followup, I really don't know what happened because I knew that I was watched after that; they were watching me and that is all I have.

Mr. CHAPPIE. Thank you. Stay with us for a few moments.

TESTIMONY OF CARLA LOWE, VICE PRESIDENT, NATIONAL FEDERATION OF PARENTS FOR DRUG-FREE YOUTH

Mr. CHAPPIE. Mrs. Lowe, we will have your testimony now, please.

Mrs. LOWE. Thank you. I am speaking to you today in the capacity of vice president of the National Federation of Parents for Drug-Free Youth. I am also the organizing chairman and northern director of Californians for Drug-Free Youth, and as founder and past president of Community Action Against Drug Abuse, which is the name of the local parent group in Sacramento.

All of these titles probably tell you I am an activist in the parent movement. I really feel that my best credentials for being here, however, are that I am a mom of five teenagers and past high school teacher. I want you to know I have no vested interest in being here, and no one has paid me to be here today. I am here simply because I care about my children and your children and the future of this country, and I believe from the bottom of my boots that the only way that this country is going to survive is if it has physically, mentally, spiritually fit young people ready to take over very soon your positions and mine to make our dreams become reality.

I think the crisis that we are facing across this country is that we simply do not have young people ready to assume those responsibilities. I am sorry I wasn't here yesterday to be able to hear the testimonies to avoid repetition of issues. I find in reviewing my prepared paper that, my friend who typed it left out a few of my comments. You probably can tell I am a busy mom, and am grateful for all the volunteer help I get. I am going to just walk you briefly through the key issues of my paper I have prepared.

One of the points that I had hoped to mention in my paper is the comment that was made by Mr. Lester Wolff, who was chairman of your committee just a few years ago. He said that the United States is the most drug abusing nation in the world, and that marihuana is the most pervasively used drug.

I am sure you realize the situation has not changed a bit. I submit to you that our kids are using pot because it is available and no meaningful penalty happens to the people who grow it, or to the people who use it. That really is the bottom line.

My paper includes, and my brief comments today will speak to what marihuana is, and to some specific recommendations I have for your committee. My paper also includes a briefing on the "Parent Movement" and then a challenge to you. I come loaded with backup information, as I go everywhere I travel, I have brought information for you and your families to read including something about the National Federation of Parents and our local group in Sacramento and our State group. But most importantly, I brought you information about the drug marihuana that perhaps you would be interested in reading, and some material that you can take home for your own children and for friends in your neighborhood.

Sobering statistics confirm what parents already know, two-thirds of our kids, according to NIDA [National Institute on Drug Abuse], will have smoked pot before they leave high school.

When we speak of alcohol, somewhere between 92 and 93 percent of our kids will have used alcohol before they leave high school. Therefore, it doesn't take a college education to be able to figure out that it is very safe to say that almost all of our kids use an illegal drug before they leave high school.

A word of caution. I know and I hope you do, that there are various State laws stating the age a person can legally drink alcohol. We all acknowledge that alcohol is the number one drug of abuse in our county. We must remember it is an illegal drug for a minor; it seems the public doesn't know this.

By the way, one of my basic concerns about preparing for this presentation was, what is really going to happen to my testimony or to the other testimonies you yesterday heard and today? When I was preparing for this, I started looking at all of the agencies that have something to do with the marihuana and other illegal drugs and found there are at least 30 of them. Do our testimonies somehow make their way around to each of them; are they reviewed and acted on? Or will they just get bound up in one of those green books of subcommittee hearings and put onto a shelf?

I am speaking, as I told you, on behalf of parents who know marihuana's dangers. We don't need to read more of the detrimental effects. We have heard statements from the American Medical

Association, from the American Council on Pediatrics, from the World Health Organization, the Institute of Medicine, which is a part of the National Academy of Science, and the National Institute on Drug Abuse, to name a few.

We listened when Surgeon General Everett Koop said in his statement August 12 last year, "Based on the scientific evidence published to date, the Public Health Service has concluded that marihuana has a broad range of psychological, physiological and biological effects, many of which are dangerous and harmful."

We are not here to talk in depth about what marihuana is nor its health hazards. I am just wanting to tell you that we know, as moms and dads and teachers, what marihuana is and what it does. You see, these are the kids we have in our homes and in our classrooms. We see the lethargy, the apathy, the change in mood, the change in behavior pattern, the irritability, the lack of caring about much of anything, the lack of concern with the way they look, the way they dress, the way they talk. We see something wrong with our kids. They are not motivated to do much of anything except to get high.

This has been classified as the pot smoker's amotivational behavior syndrome. In my opinion the worst of all of these symptoms, gentlemen, and I assumed there might have been some ladies here today, and there are in the audience—is that marihuana most insidiously wipes out one's perception of what is really happening to himself or herself.

And so our kids can't perceive, can't understand, can't account for doing less than they could be doing.

So often parents have confused some of these symptoms with just the problems of years of growing up. Marihuana has been called the "great alienator," parents have struggled in their own homes to come to grips with what they feel is their own craziness, trying to figure out what is really going wrong. They have listened to "experts" who said it is your home life that has caused the craziness you are trying to deal with in your kids. Moms and dads are now finally being told by other parents: "It's not your home life; it's the drug marihuana. That's what is causing your kids' strange behavior at home and their strange performance in school and on the job." Not to mention lung damage, brain damage, and problems with adolescence, reproduction, and so forth.

Marihuana has also been called the "gateway drug." There is not an expert I know of—and I have come to know and respect many of them—there is not an expert around who would not agree that 99 percent of the people who are using heroin and cocaine started on marihuana and alcohol. It truly is a gateway drug.

And I suggest to you that marihuana is the American parents' nightmare. In fact, that is the title of the paper that I have prepared. It is the one drug that has jarred parents to their senses. It has shocked them out of their boots, and it has made them really understand the realities of the eighties.

All kinds of kids from all kinds of homes—yours and mine included—young children, fifth, sixth, seventh graders, are going to have to make decisions many times throughout their school years about their involvement with drugs, more times than they make decisions about whether or not they are going to play Little

League, whether they are going to sing in the choir, what subjects they are going to take, who they are going to date. Drugs have become a way of kids' lifestyle in this country. This is a fact that can be substantiated.

I will speak shortly to what parents are doing about the "nightmare." In the meantime, I have a couple of thoughts about an irony and about hypocrisy.

The irony is having to be here, to talk about what we are going to do with something that is illegal to grow and use and yet we are told, is a No. 1 cash crop in California and a top crop in the United States. I can hardly understand that. I need to tell you I am a parent who has travelled over 100,000 miles, who has spoken to over 1,000 groups on teenage drug abuse. There is only one major question that I cannot answer—whether it is an audience of fourth, fifth and sixth graders, whether it is during a 6-hour seminar to professionals, or whether I am speaking to college class. It doesn't matter. The question is always the same: If marihuana is dangerous and illegal, why is it around at all, let alone our No. 1 or No. 3 cash crop? I can't answer that question.

The hypocrisy becomes glaring. I spoke to my son's fifth and sixth grade class not too long ago, and it was soon after that he brought an article to me that he was taking for "show and tell" in his sixth grade class, and he asked me to explain the article—how could they make money on something bad and illegal. The title of his article that he had clipped was: "California Growers Find Raising Marihuana Nets Them A Pot of Gold."

And there are some other headlines that I would like to bring to your attention: "California Marihuana Farms Yield a Billion-Dollar High"; "Marihuana Among California Redwoods"; "California Fighting Marihuana Growers"; "Parks Infested By A New Pest: Criminals in California"; "Marihuana Now Is The Growing Branch Of Agriculture"; "California Pot Raids Escalate Into Small War, Hard Economy Has California Going To Pot." And I have some listed from other States, too. But since I see that there is nobody here from other States I won't read them. But don't think this is just California's problem.

My question is: What kinds of messages are these kind of headlines sending to our children? I believe they are messages of corruption, of pretending not to see, of not caring about the illegality, or perhaps the messages say it is such a big problem that we can't do anything about it.

A caution now regarding the last message. The headlines, gentlemen, are just part of the problem. If one reads down these articles, we start seeing numbers, size of marihuana crops dollar amounts, and we see things like $8.2 billion, $10.2 billion, $27 billion to $30 billion of a $90 billion crop.

A week ago, I received a newspaper update that had a quote from Representative Glenn English of Oklahoma, which said, "Pot's domestic production is estimated at 25,000 tons, a cash crop worth $52 billion. That is what the total net farm income in this country will be in 1983."

My question and my alarm gentlemen—and I hope yours is, where do these figures come from? Can they be substantiated? Where are they documented? Not even the Drug Enforcement Ad-

ministration [DEA] can give an actual number to the size or worth of marihuana crops. What do these numbers mean?

My concern is that there is an organization, NORML, National Organization to Reform Marihuana Laws that has been around for a long time that is trying to see marihuana become legalized. NORML thrives and promotes the "numbers game" hysteria. "It is such a big crop, we can't do anything about it," they want the public to say. The public thinks and says, well, my goodness, if marihuana is such a big crop and we can't do anything about it, we might as well legalize it and then we can tax it and then that will help pay off the national debt.

I suggest to you men and women who are listening, or whoever reads this, we have got to be very concerned about this "numbers game," because I feel it plays right into the opposition's hands. I am not saying that the marihuana problem is not there, because I am here today speaking to that issue. But let's be very careful that we are very accurate, or at least temper and question by writing to the newspapers, writing to the news broadcasters, saying, where did you get these figures?

Moving on, I mentioned NORML, the National Organization to Reform Marihuana Laws. They have incurred the wrath of parents during the last 10 years, as we recognize and now respond to their incessant drives to see marihuana legalized. I submit to you that NORML has put up three balloons to see this drug legalized. Your committee and the public must be aware of them.

The first balloon, I am going to call the "decriminalization balloon." The decriminalization message said in essence, "well, do we really want to throw the poor guy who is just smoking a little bit of pot into jail?" This kind of talk led, as you know to many States lessening penalties for growing, possessing and using marihuana. Interestingly enough, not one additional State since 1977 has come to pass decriminalization laws. 1977 was the very beginning of the parent movement. We believe there is a connection.

The second balloon NORML has put up to see marihuana legalized is the bill that was introduced before Congress last year, H.R. 4498. This was the marihuana for medicine bill. The message says "the poor people dying of cancer need marihuana for their cancer." NORML fails to tell the whole story about cancer and marihuana. By the way, nobody cares more about people with cancer than I do, as I have loved ones of my own family who have struggled and lost the battle to that monster. But the pro pot people who are promoting H.R. 4498, don't explain that it is Delta 9 THC, one chemical of the over 400 in marihuana, that has been used successfully, to quell the queasiness induced by types of chemotherapy because of its effectiveness as an antinauseant.

Delta 9 THC in capsule form is available for cancer specialists, oncologists. The parent movement has been responsible for shooting holes in this "Red Herring" balloon of NORML.

I submit to you that the third balloon launched by NORML is the "numbers game," which I referred to earlier. This "cotton candy" myth looks like the marihuana issue is out of control. When you get right down to it, it is something there but it is not quite as big as they said and it can be suppressed. These are three balloons of NORML to attempt to get marihuana legalized.

And now my specific recommendations to this committee regarding marihuana eradication:

Before I begin I want to commend, and I want written into the record that we parents do commend, the efforts that have been made to reduce the amount of marihuana in the United States. I was talking with Dr. Bill Pollin yesterday from the National Institute on Drug Abuse, confirming my statistics and the use of his name. He said, "you know, it might be well to remind the people that are listening to you that presently in the United States there are about 5 million cocaine users, and an estimated 23 to 25 million marihuana users. We know there are 50 to 65 million tobacco smokers and 100 million alcohol users." The point I am making is that Dr. Pollen substantiated that if current efforts to suppress illegal drugs were not in effect, there might well be 50 million or 100 million cocaine or marihuana users.

So with that complement in mind, let me move forward to some specific suggestions. No. 1, it is time to declare an all-out war on domestic cultivation of marihuana. It is time we either get our act together and move forward with a well organized plan that is well funded or we had better quit talking about it, because, gentlemen, the opposition—we hear it is a $90 billion to $100 billion illegal drug industry is organized, is powerful and it is very well funded. It is time that we go all out to suppress that industry.

One President about 20 years ago said it was time to put a man on the Moon in that decade, and we did. I suggest to you it is time to call on our President to wipe out the illegal drug industry in the United States. I was in President Reagan's office the day after he was elected urging him to lead that war. He wasn't there, but I left a letter for him.

I went again in 1981. I said, "Please lead the way. We have got to eradicate marihuana if we are serious about drug issue. Call out the National Guard to help." Steve Helsley of the narcotics bureau in California told me this would work; the National Guard could make eradication programs their training exercises. I also asked the President to urge States to pass civil forfeiture laws. That is what Mr. Crofoot mentioned. A forfeiture of ill-gotten gains would make growers pay for their prosecution. My second recommendation is to coordinate the involvement of the 20 to 30 bureaus that have something to do with the illegal drug issue. There must be some centralization and chain of command. The States that are source States, like California, need to have a say into a master plan. We need to have our local experts say what the problem is and how to best meet it.

The lady at the end of the table made a good point. If the master plan says let's use helicopters and helicopters aren't effective for a particular place, that doesn't make sense. So the local States, local communities, have got to have a say into a master plan.

These are my recommendations. But the bottom line is, the master plan has got to be eloquently funded, with priority funding.

And now 2 minutes on the Parent Movement. We are here to help you in anyway we can. The whole parent movement grew with no plan, no organization. Moms and dads across the country simply woke up to the drug issue in different ways. I took a survey of high school students' parents in 1977 as an innocent PTA presi-

dent, never dreaming that out of 20 concerns I listed that drugs would be their No. 1 concern. I had no idea then when I put out that questionnaire that I would be testifying to you 6 years later in Redding, Calif.

Some parents found their sixth grade children smoking pot at their homes others went to rock concerts back in 1977 or 1978. Some parents realized the drug paraphernalia was being sold. Some parents realized that something was happening to their kids, and they began challenging the experts who were saying marihuana is just a harmless recreational drug. Moms and dads were told, don't worry; be grateful your kids aren't drinking or using PCP or uppers and downers or speed. Marihuana is no big deal, they were told.

You know what we know about pot now. The National Federation of Parents was formed in 1980 when parents from the East heard about parents from the West who were speaking out as they were. The whole effort of NFP is to serve as an umbrella in helping to form parent community groups across this country. In 1980 there were only a few—now there are about 2,000. If any of you want to start one in your area, see me after this hearing. I have information. I will come to your community to help you get one started.

The NFP has a strong legislative branch in Washington. The parent movement takes credit for drug paraphernalia legislation in many States. We have a speaker's bureau, the Nancy Reagan speaker's bureau. We will send speakers into the far corners of this State and Nation and even internationally to help give current credible information about illegal drugs and to inform people about prevention efforts that work.

I will close by telling you that I want you to understand our strength, I want you to understand our commitment, I want you to know we are undaunted in our quest for drug-free youth. We will not give up.

There is a man, Richard Hawley, who made a statement that conveys what we believe. I would like to submit his statement:

We have an obligation to the children we love and to something no less profound than the characteristic of civilization itself to interfere with something that does various kinds of harm and no good whatsoever.

Gentlemen, I hope you will join us. Thank you.

Mr. CHAPPIE. Thank you, Mrs. Lowe.

[Mrs. Lowe's prepared statement follows:]

PREPARED STATEMENT OF CARLA LOWE, VICE PRESIDENT, NATIONAL FEDERATION OF PARENTS FOR DRUG-FREE YOUTH, NORTHERN CHAIRMAN, CALIFORNIANS FOR DRUG-FREE YOUTH, FOUNDER, PAST PRESIDENT, SACRAMENTO COUNTY COMMUNITY ACTION AGAINST DRUG ABUSE ON MARIHUANA: THE AMERICAN PARENTS' NIGHTMARE

Good afternoon Mr. Chairman and members of the committee. Thank you for inviting me to speak in my capacity as vice president of the National Federation of Parents for Drug-Free Youth, northern chairman of Californians for Drug-free Youth, and as founder and past president of Community Action Against Drug Abuse, Inc. in Sacramento, Calif.

All of these positions indicate that I am an activist in the "Parent Movement". However; I believe that my best credentials for speaking to you are that I am a mother of five teenagers, and a former high school teacher. I want you to know that I have no vested interest for being here today; no one is paying me to be here. I have travelled at my own expense to listen to testimony and to give you my testimo-

ny for no other reason than that I care about my children and yours, and because I believe that the future of our country depends on our youth being physically, mentally, and spiritually fit to take over our jobs and positions to make our dreams become realities. Many children in America today are not physically, mentally, nor spiritually fit to assume these responsibilities. My testimony today will include some general thoughts about the drug marihuana, an important caution regarding the extent of the domestic cultivation, some specific recommendations about the eradication efforts, and a brief description of the parent movement and it's commitment to drug-free youth.

Sobering statistics confirm the epidemic use of drugs by our young people. These statistics vary slightly from report to report, but it is safe to state that ⅔ of American youth try to an illegal drug other than alcohol before leaving high school; and, when alcohol is included, the figure rises to 92%. Thus we conclude that practically all American youth experiment with an illegal drug before they leave high school—National Institute on Drug Abuse.

The American Medical Association states that teenagers are the only age group that has showed a consistent rise in number of deaths and that accidents, suicides, and homicides are the three major causes of death—and most of these are drug-alcohol related.

I am speaking to you today on behalf of hundreds of thousands of parents in America who know that marihuana is a dangerous, insidious drug. We only need to see the statistics and to read the substantiated harmful effects of the drug to confirm what we see happening to the children we love. Reports of the chemical properties and health hazards of marihuana have come from the World Health Organization of the United Nations, the National Institute on Drug Abuse, the National Academy of Science of the Institute of Medicine, the American Academy of Pediatrics, and the American Medical Association, to name a few. Surgeon General Everett Koop stated on August 12, 1982, "Based on scientific evidence published to date, the Public Health Services has concluded that marihuana has a broad range of psychological, physiological, and biological effects, many of which are dangerous and harmful to health."

Parents know what these words mean. The symptoms they see in their kids who are using pot are for the most part subtle, and often are thought to be symptoms of just the teenage years—apathy, lethargy, irritability, changes in mood, and behavior—the loss of concern with school, family, friends, even personal dress and hygiene—the gaunt look and lack of sparkle in the eyes—the not wanting to do much of anything—except getting high—the characteristic amotivational behavior syndrome and worst may be distortion of perception. And, this is just the beginning of what marihuana does. Our youth are part of a great epidemiological study. As one researcher put it, "the kids of America are the guinea pigs in a tragic national experiment."

Marihuana has been called "the Great Alienator" as families have been forced to try to deal with children who no longer are what they used to be. Parents have agonized in guilt trips as experts from counselling and drug agencies told them that the home life is causing their kids to turn to drugs. Parents have struggled to figure out what they are doing wrong that causes their children to have problems in school and on the job. Only recently have parents come to understand that marihuana is the culprit behind the behavior and problems.

Our marihuana kids are growing up without meeting their potential—thus diminished—less than they could have become physically, academically, and socially, had they not used marihuana. Dr. Mitch Rosenthal of Phoenix House has referred to the generation of kids who grew up in the 1960's and 1970's as the diminished generation. How many diminished generations will it take to weaken and eventually destroy out country?

Marihuana has also been called "The Gateway Drug" as experts confirm that the vast majority of cocaine and heroin users started their lifestyle of drugs with marihuana and alcohol.

Marihuana is what I call the American parents' nightmare. It is the drug that has jarred parents out of their complacency to action as they begin to understand the realities of the 1980's—that all kinds of kids from all kinds of homes at younger and younger ages are going to have to deal with the drug issue. They will make decisions about their involvement in their use of drugs just as they will have to make decisions about any other aspect of growing up—to join Scouts, play ball, sing in the choir, what subjects to take, who to date, etc.

Marihuana has been the impetus for the parent movement. I will discuss it more in depth later.

I will now direct my attention to the agenda item before us this weekend: Domestic Cultivation of Marihuana and Eradication Efforts.

Before I go further, I have a question to ask. What will happen to my testimony and all the others you have heard or read? Will they be sent to the 20-30 Federal bureaus and agencies that I understand have something to do with this issue? Why isn't there one person who has authority do something with the concerns, information, and recommendations? Or, can you assure me that these testimonies won't get lost somewhere along the way between the Bureau of Land Management of the Department of Agriculture, U.S. Forestry Department, Drug Enforcement Administration, Federal Bureau of Investigation, U.S. Marshal's Office, Department of Alcohol, Tobacco, and Firearms, U.S. Customs, the Coast Guard, the National Guard, and all other branches of the military—to name a few.

The first point I wish to speak to is the irony of having to figure out what to do with something that is illegal to use because it is dangerous and hazardous and yet is growing all over the country, and is said to be the No. 1 cash crop in California and the No. 3 cash crop in the United States. I assume you also are aware of the irony.

Let me elaborate on the irony and offer a warning. The primary focus of the parent-community movement is to reduce the demands for drugs through education efforts. I am a parent who has traveled over 100,000 miles and have given close to 1,000 speeches on the issue of teenage drug abuse in general, and marihuana in particular. There is one question that I am always asked to answer whether it be in a classroom of fourth or fifth graders or in a seminar for physicians, pharmacists, teachers, or in a community townhall meeting. The question is, "If marihuana is dangerous and does all the things in the body that researchers say it does, why is it growing all over the place—and since nobody seems to be able to do anything about it, it must not be so bad." As a parent and educator that question puts me in an awkward position.

A few days after I gave a drug awareness talk to my son's sixth grade class, he took an article to school to discuss during current events. The headline of the article was "California Growers Find Raising Marihuana Nets Them a Pot of Gold." He asked me what that meant. The headlines from around the country used to be primarily only of California—"California Marihuana Farms Yield a Billion-Dollar High," "Marihuana Among California Redwoods," "California Fighting Marihuana Growers," "Parks Infested by a New Pest: Criminals in California," "Marihuana Now Growing Branch of Agriculture"—dateline Riverside, Calif., "California Pot Raids Escalate Into Small War," "Hard Economy Has California Going to Pot." I have 15 more headlines about the California pot.

What kind of messages are being sent to our kids through these headlines? It is a message of corruption, of pretending not to see, of not caring about the illegality or it's a message of not being able to do anything about the problem.

Because I see that members of your committee are from other States, I'd like to mention that the pot problem is not unique to just California. I found some headlines that send the same messages to your children and people all over the United States. Examples: "Virginia Battling Bumper Crop of Marihuana," Pot Growers Flourish in Tar Heel Shadows"—that is in North Carolina—"Marihuana Big Business in Missouri," "Pot Farmers Reaping Harvest of Violence in Oregon," "National Forests Attracting Marihuana Growers in Southwest—Arkansas' Ozarks"—"Weed Farmers Find Greener Pastures Here—Peach State Pot—Georgia," "Out of Staters Flocking to Nebraska to Pick Marihuana," "Oklahoma Farmers Up to Ears in Pot," "Pot Grows at Capitol in Kansas," and the list goes on and on.

The headlines are just part of the problem. When one reads the articles, figures are given for the size of the crops—in billions of dollars. Widely read magazines such as Time and Newsweek have featured articles as have network news shows recently, that speak of the domestic cultivation of marihuana, often stating figures such as 8.2 billion dollars which is the National Organization to Reform Marihuana Laws (NORML) 1982 estimate of the 1981 crop; 10.2 billion dollars, their 1983 estimate of the 1982 crop, et cetera. Other accounts estimate 27-30 billion of a $90 billion crop. Last week, I received a new update where Representative Glenn English, Democrat-Oklahoma said: "Pot's domestic production is estimated at 25,000 tons—a cash crop worth $52 billion. That's what the total net farm income in this country will be in 1983."

My questions, and I hope yours, are where did these figures come from? Can they be substantiated? Where are they documented? Not even the Drug Enforcement Administration can give an official documentation of the amount or value of the marihuana grown in this country. My concern is that in the eyes and ears of the public this says that since the amount of marihuana is increasing at such alarming rates it

must be beyond control. Therefore, the public reasons it might as well be legalized so the United States can benefit from the taxes which would lessen the national debt. The fallacy in this thinking is glaring.

The numbers game concern becomes fuel for the pro pot lobby NORML. The numbers game is like cotton candy—it's a lot of whirled up icky, sweet sugar, and when you get to the bottom of it, you realize it looked pretty big but there wasn't much to it—but NORML will use this thinking to their advantage.

NORML has incurred the wrath of parents over their incessant drives to see marihuana legalized. The first balloon NORML sent up to achieve legalization was decriminalization. This effort was somewhat successful before parents woke up to the realities of marihuana. It is interesting to note that not one additional State has been successful to pass decriminalization legislation since parent groups have been organized.

The second balloon NORML sent us is the marihuana for medicine bill introduced before congress last year. Keith Stroup, founder of NORML stated that H.R. 4498 was the red herring bill to see marihuana legalized. That balloon didn't fly last year primarily because of the legislative work of the National Federation of Parents for Drug-Free Youth [NFP]. I submit, that the numbers game cotton candy theory is the third balloon NORML is sending up.

I urge each of you to challenge the numbers game. It is a most important step to the eradication of marihuana.

Now, some specific suggestions to the eradication issue. Next paragraphs are harsh—to reflect frustration and anger our having to fight whats illegal—also reflect exhaustion—credits could be worse. It is obvious that the only reason marihuana is used is because it's available. The fact that it's available at all in this country, let alone is said to be a major crop in California, boggles my mind. The first recommendation is to declare an all out war on domestic growing of marihuana, or quit meeting and talking too harsh implies not caring about it. Sporadic attempts at eradication have been honorable and effective—but, we all know pot is still out there. I want this committee to call on our President to make this happen.

I personally was standing outside the door of the Oval Office at the White House at 10 a.m. the morning after President Reagan was elected to office. Unfortunately, he was still in my hometown of Pacific Palisides. I had a letter for him, asking that he make a priority concern of the eradication of domestic marihuana. In the letter I told him about the work of parents and that we needed his help.

In November 1981, I again went with a letter to the President, Mr. Ed Meese, and Dr. Carlton Turner, asking the President to issue an executive order calling for the total eradication of domestic marihuana, and suggested that he call out the National Guard in every State to direct training exercises to eradication. This would be an inexpensive procedure compared with the use of ground officers. I had been assured by Peter Bensinger of DEA and Steve Helsley, chief of the Bureau of Narcotics in California, that this would work.

I also suggested that he encourage States to enact the DEA model law for forfeiture of assets and ill-gotten gains derived from growing and selling. This would make the dope growers and sellers pay for their own demise.

My next comments relate to the President's National Strategy for Prevention of Drug Abuse and Drug Traffic of 1983. The No. 1 statement under directions and priorities is reduce the supply of illicit drugs in the United States. It goes on to state that the President has committed to a foreign policy that vigorously seeks to interdict, and eradicate illicit drugs, wherever cultivated, processed, or transported. This has to include domestic cultivation of marihuana. But, no where else in the strategy is a plan mentioned.

Therefore, my second recommendation to this committee is to make a tight plan to make the strategy become more than words. Someone should be given authority to make a plan which would coordinate the efforts of all those agencies and bureaus I mentioned earlier. Some accountability must be written into the plan.

My third recommendation is that source States of marihuana, such as California, should have input to the master plan. It simply doesn't make sense to organize a plan without participation from those who have the problem and will be responsible to do something about it.

My fourth recommendation is that there must be sufficient funds from the Federal Government to make the all out eradication efforts become a reality. There is no question in my mind that funds put into the effort will be repaid many times over with efficient use of the National Guard, forfeiture of assets, and huge savings that will result from decreases in drug-related problems in crime, education, productivity, and national security, et cetera.

My fifth recommendation is that you solicit written testimony from the folks who live in the areas where pot growing is prevalent. Some of them just found out about these hearings.They would have liked to been here to tell you what it's really like, that the stories are true of people's fears of going into their own property lest they fall to guard dogs, to a trap, or land mines. They would tell you that they don't go camping in our State and Federal forests and parks for the same reasons, and that they resent as I do that pot growers use these public grounds to grow marijuana because they say, "if you don't own it, it can't be confiscated." They will tell you that pot growing is big business and is surrounded with the criminal element.

My final recommendation is that you look to the parent community movement to help you in any way. In fact, if you are interested in starting a group in your own hometown, see me at the conclusion of this hearing, or call the NFP office.

My final remarks will brief you on the parent movement and the National Federation of Parents for Drug-Free Youth [NFP].

This is a movement that truly grew as topsy. There was no plan nor organization to it until 1980. A early as 1977, parents were becoming involved either because of a survey, as I did, or because they found their five and six graders smoking pot. Or, perhaps they went to a rock concert with their teenagers and heard words and witnessed goings on that they found incredulous or they realized that tools designed as toys were being sold at music stores and used by their children to ingest marijuana. It wasn't until 1979 that parents began hearing of other parents who were shocked to their senses as they were.

Spontaneously, parents started reaching out to these other parents, to their schools, law enforcement, and business people for help. At that time parents started holding townhall meetings and called in local experts to talk about drugs. Parents were told all about the dangers of alcohol, PCP, uppers and downers, and even heroin. But many speakers on marijuana said that it was a drug that really wasn't to worry about—that it was really a harmless recreational drug.

It wasn't until parents started putting two and two together—the peculiar behavior of their kids, the do drugs message of the rock music, drug paraphernalia, popular teenage magazines, and movies that some parents began questioning the harmlessness myth of marijuana. Once they ferreted out information from complicated medical testimonies at congressional hearings about marijuana, they began talking to anyone who would listen, and wrote to anyone who would publish.

In 1980, parents on the east coast met and agreed to organize The National Federation of Parents for Drug-Free Youth. Earlier that year I called other parents that I had heard about in California that were working for drug-free youth and we agreed to meet to form a network. Through a paraphernalia bill hearing, I met a man who told me of the organizing going on in the east; thus, the bridging of the east and west. Our local Sacramento parent-community group and our statewide group became charter members of the NFP, and I became a member of the executive committee. My job was to help start other parent groups. In May 1980, there were only a handful of parent groups. Now, just 3 short years later, we have identified about 2,000. There are at least six States that have State networks.

Currently NFP serves as the umbrella over the many local and State networks of parent-community groups. The primary focus of NFP is to help start and support parent-community groups and to continue its efforts to educate away the demand for drugs. In addition to its recognized legislative work at the capitol, NFP has recently organized the Nancy Reagan Speakers Bureau.

We are parents from all walks of life who acknowledge that our kids from our good Judeo-Christian all American homes—where parents are members of PTA, Junior League, Chamber of Commerce, service clubs, Little League and swim teams—either have experimented with drugs, are using drugs regularly, or soon will have to decide whether they will smoke a little pot because everyone else does to feel good.

We can't even comprehend the meaning of the $90–100 billion figure assigned to the illicit drug industry. But we know that it's big business and big crime. We also know that if the epidemic use of illicit drugs continues to go unchecked, the very future of our country is in peril.

We travel from town to town sharing our awareness of the problem, sharing current, credible information about marihuana and other psychoactive drugs, and urging the folks to get involved in their own communities. We believe that knowledgeable involved parents are the best line of defense to kids becoming involved with drugs.

Our efforts were funded from grocery money, sagging savings accounts, IOU's, some private donations, and lots of heart. Service clubs, PTA's, and religious groups often help fund our projects. We have challenged NORML and the do drugs n s-

sages of the paraphernalia industry. We are winning long battles on those fronts. It was an incredible 2-year fight in the California Legislature to see the bill passed unanimously to prohibit the manufacture and sale of drug paraphernalia. I know about that battle because I was there.

We know that we have set out to slow down a giant. We know that ours is basically a mission of faith, that we may not see the fruits of our efforts. We are encouraged by statistics that show a slight decline in the daily use of marihuana by high school seniors, and the words coming from our schools and communities, and the encouraging words from people in our communities, our States, experts in the field and from the White House. We are often brought to tears by the thank you note of a child, or a telephone call from a distraught parent who we assured was not alone in the battle and that something could be done.

In closing, I will remind you that I have brought information for each of you about the NFP, our California network, our local parent community group, and most importantly, some information about marihuana for your families and your children.

To summarize, I have encouraged this committee to see that these testimonies are brought to the attention of those who will follow through, that eradication of domestic marihuana become a top priority in this country with an organized, structured plan, with authority and funding to carry it out, that input to this plan come from source States, that the extent of the problem not be diminished but that we not fall prey to the numbers game of the pro pot forces.

It is my hope that you understand the strength and commitment of the parents of America who are undaunted in their quest for drug-free youth. They reaffirm by their actions what Richard Hawley has said: "We have an obligation to the children we love—and to something no less profound than the character of civilization itself—to interfere with something that does various kinds of harm and no good whatsoever." Will you join us?

Mr. CHAPPIE. Mr. Crofoot, I failed to gather your new title. Could you briefly review your position?

Mr. CROFOOT. Yes; they gave me a big title so they don't have to pay me as much. I am the deputy secretary for law enforcement liaison for the youth and adult correctional agency for the State.

Mr. CHAPPIE. Your principal function then is to coordinate with the counties?

Mr. CROFOOT. With the counties and in local law enforcement, yes, and the correctional agency oversees all of the prisons, the California Department of Corrections, the youth offenders, parole board, and the board of prison terms and the board of corrections.

Mr. CHAPPIE. Thank you.

Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

In many ways, I think it is a shame that we did not have this panel in the first slot yesterday morning when the media members were present, for it strikes me that the message that each of you were conveying is, how can we turn this thing around; that is, how can we impact the public attitude? How can we impact that view of, "oh well, what is a little pot here or there?" How can we impact that attitude on the part of the people in the media who say, "Why don't we legalize this stuff? We could then tax it." Unfortunately, most of the headlines are gone, from this meeting. But your comments will not be lost from the record.

I want to say something else, too, to which I hope you won't take offense, Mrs. Lowe. Recently I was involved in an issue that related to whether we should make a special class of citizens out of waitresses in California and collect their taxes as though there was illegal activity in our taxing process. And one of the women at this meeting in Los Angeles, who was a part of what might be described as a feminist movement, addressed me before this group of wait-

resses as Chairperson Lewis, and we almost had a riot in the audience because the waitresses didn't like that.

And I noticed with interest your inserting the letter, small letter "r" in "Ms." before your name, and while some might not agree with that, I love it.

Mrs. LOWE. Thank you.

Mr. LEWIS. Mr. Chairman, I frankly don't know what I would ask, except I am really searching for input as to how we can affect that public attitude, and it has to start in the neighborhoods, certainly not across the Potomac, because it will just be too long before we get there.

Mrs. HANSEN. I would like to speak on that to a certain extent.

As you know, yesterday I attended the raids with you as a member of the press corps, and I do find it very interesting dealing with my colleagues in the press because it seems to me somehow that they can go in the same situations that I go in and I see totally different kinds of things.

It is also very disturbing to me to have to follow in their footsteps. The results of the investigations I did were warning hunters in The American Hunter, and in the process of gathering that information I was interviewing the well-known local law enforcement agencies, and I had to spend a great deal of time soothing ruffled feathers because their impression was that the press had in fact dealt them a very back-handed blow. They tried to give them information and the press was a problem, and so the local authorities perceived the national press as a real problem.

I don't really have any solutions for you at this point, but I do want to confirm that your feelings and your instincts are shared by people who are trying to put input into this problem.

Mr. CHAPPIE. Thank you.

Mrs. LOWE. I would like to offer a comment, too. I think this has been documented. I think the media really have a responsibility in assuming some of the—is responsible for some of the predicament in which we find ourselves now, and there is documentation of how the press covered some of the early conferences in marihuana in 1976–78, and that the testimonies that were given, you kind of people would have heard, were just absolutely misconstrued and headlines coming out from the press. And I want to say, why?

Mr. CHAPPIE. That is what makes this system work, I suppose.

I do want to thank all of the panelists. Your patience is appreciated. And I totally concur in Mr. Lewis' comments that perhaps we should have started this hearing in reverse order. But I may incur the wrath of the Chair if he reads the transcript. So, again, our sincere thanks.

This will conclude the hearing, and the record will be held open for an additional 2 weeks for whatever additional material people would care to submit.

Mr. LEWIS. Mr. Chairman, if I could just comment. In closing, I want to respond to the general expression of concern, what happens following the hearing. Sometimes it has occurred to me that some very high percentage, soft figure but high percentage, of our national archives develops, the buildings are used to store old reports. But the only way you do affect Federal priority and Federal Government is you have got to stick the needle in, and the more

we stick it in under different ways that we apply pressure, it eventually does cause that huge bureaucracy to begin to focus.

I think this was a very dramatic demonstration the last couple of days of the complexity of this problem and the reality that it is a national problem and it is one with which the Congress till now has fallen far short of meeting their responsibility in dollars, in terms of the need for coordination. Indeed, in terms of helping those local agencies, public and private, who really can't get that job done and will just play, begin to respond as we should, so we appreciate you being here.

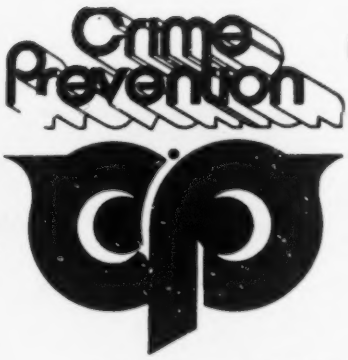
Mr. CROFOOT. Thank you.

Mrs. HANSEN. I have an answer to one of your questions that was raised earlier on the timber industry. It is a report from the Rural Crime Prevention Task Force out of Sacramento, and there was testimony taken in Eureka and it has support of the general——

Mr. LEWIS. Would you submit that report for the record?

Mrs. HANSEN. Yes.

[The information follows:]



CALIFORNIA
RURAL CRIME PREVENTION TASK FORCE
1601 EXPOSITION BOULEVARD
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CALIFORNIA RURAL CRIME PREVENTION TASK FORCE (CRCPTF)
PUBLIC HEARINGS SUMMARY REPORT AND RECOMMENDATIONS

INTRODUCTION

One goal of the California Rural Crime Prevention Task Force (CRCPTF) is to define the specific crime problems experienced by rural residents and businesses in order to effectively combat them. To accomplish this, the CRCPTF sponsored public hearings throughout the state during the past year. Crime problems related to livestock, construction, oil fields, timber industry, agricultural commodities and heavy equipment were addressed.

This report is a summary of the hearings/findings. It is subdivided into subject areas, with each including a list of corresponding problems, recommendations for law enforcement, recommendations for citizens and suggested legislation. Also, the hearing date(s), location(s) and number of attendees are listed under each respective subject area.

As a preface to the individual reports, an overall summary of common rural crime problems and recommendations follows:

COMMUNICATION

The overall testimony at the hearings revealed that the greatest problem appears to be a communication gap between local law enforcement and the rural community. Speaker after speaker expressed this concern. Many were crime victims, frustrated by a criminal justice system which seems to have little or no chance of apprehending (let alone convicting) the criminals. Law enforcement and the judiciary were often viewed as unconcerned and sometimes incompetent in rural crime problems. Many felt restitution was not ordered in proportion to the damages incurred. Some law enforcement representatives, not understanding the full impact of losses due to rural crime, believed the victims were overplaying their problems. A unanimous complaint was that criminals, when apprehended, usually receive only a "wrist slap."

Recommendations: LAW ENFORCEMENT.

1. "Judicial Forums"/"Rural Crime Awareness Days" - As the most visible criminal justice agency, law enforcement should take the lead, scheduling regular meetings between members of the criminal justice system and rural residents and business people to discuss mutual problems and potential solutions. Responsibilities would involve setting the date, time and place and inviting the participants to each meeting.

State of California
Crime Prevention Center
(916) 322-2574

California Farm Bureau Federation
Crime Prevention Office
(916) 924-4052

2. Law enforcement "resident experts" or "rural crime specialists" should make contact with individual citizens on a regular basis and serve as primary investigators and coordinators of cases within their areas of expertise. Examples of this are livestock investigators and oil field investigators who work with the respective industry representatives on a day-to-day basis.

3. Informational pamphlets should be made available to victims and witnesses explaining the processes involved in investigation and prosecution.

Recommendations: CITIZENS.

1. Citizens should contact local law enforcement authorities to follow up on cases in which they are involved.

2. Citizens should develop an understanding of the criminal justice system. Participating in Ride-Along programs or attending courtroom hearings can be very informative. Inviting law enforcement representatives to address civic and/or service clubs and organizations is another way to provide for contact and communication with the system.

3. Residents should participate in available volunteer programs, such as Neighborhood Watch, explorer cadets and reserve officers, Block Parent programs, victim/witness programs and law enforcement athletic programs.

LACK OF FUNDS

As in most other areas of government services today, the lack of sufficient funds to effectively handle the crime problem was a primary concern.

Recommendations: LAW ENFORCEMENT.

1. In order to maintain effective law enforcement programs while operating under existing budgetary restraints, agencies should involve the private sector to help finance crime prevention programs.

   For example, Operation Identification engravers are donated by local merchants; the media is involved in "Crime Stoppers" and "Secret Witness" reward programs; law enforcement athletic leagues receive donations from merchants and others to meet program operating budgets.

2. Law enforcement should utilize volunteer residents groups for crime prevention and other community projects (i.e., Neighborhood Watch groups). This has proven to be an effective crime reduction technique.

3. Law enforcement should consider hiring (often through grants) community service officers to take burglary, accident and other reports, as well as perform other nonhazardous duties, which will allow allocation of sworn officers to patrol, investigation and apprehension of criminals.

Recommendations: CITIZENS.

1. Civic and/or service clubs or associations should donate time, money, merchandise, etc., to assist local law enforcement agencies in prevention and enforcement programs.

2. Law enforcement representatives should be invited to address residents groups about agency problems and/or concerns.

3. Residents should take advantage of existing crime prevention materials and programs available. Crime prevention begins at home: neighbors and coworkers should work together to deny criminals the opportunity to commit crimes.

TRESPASSING

In rural areas, trespassing is a serious problem. Testimony revealed that existing trespass laws are inadequate and unenforced.

Penal Code Section 602(k) and Fish and Game Code Section 2016 require the posting of "signs forbidding trespass . . . at intervals not less than three to the mile along all exterior boundaries and at all roads and trails entering such lands . . . ." The problem with posting signs, however, is that they are knocked down, run over, shot up, removed or otherwise destroyed. Most trespassers, when confronted, simply state that they did not see any signs.

Trespassing is a misdemeanor and punishable by fines and/or jail sentences. Most speakers felt this is not enough of a deterrent to discourage trespassers. Even more frustration results from the nonaggressive approach taken by the judiciary in dealing with trespassers.

Recommendations: LAW ENFORCEMENT.

1. Law enforcement should become more aggressive in the enforcement of existing trespass laws.

2. Law enforcement agencies should obtain written permission from landowner(s) to remove and prosecute any person(s) found trespassing on the owner's property in the event the landowner cannot be contacted. The owner will provide specifics about his land, such as the address, parcel number and map coordinates. This provides law enforcement with a tool to enforce trespass laws, confront suspicious persons on private land and order their removal.

Recommendations: CITIZENS.

1. Until new laws are passed, rural landowners should continue to post signs in accordance with existing sign law; signs which have been destroyed can be replaced with painted tires to deter sign shooters.

2. Owners should use alternative wording on all signs so as not to encourage potential trespassers; e.g., "Access to this property allowed by written permission of the property owner only!"

3. If desired, owners should let people know they may obtain the owner's written permission to enter, use or cross property if they will take the time to ask first.

4. Citizens should confront trespassers only after calling the sheriff or police and avoid the use of weapons to scare them off.

Recommendations: LEGISLATION.

1. Legislation should be enacted to assure mandatory minimum fines and/or incarceration upon conviction of trespassing.

2. Legislation should be enacted to provide that private landowners be held harmless from liability for injuries suffered by trespassers.

3. Current law requiring three signs per mile for uncultivated and unfenced land should be repealed.

4. Trespass should be made an infraction and trespassers should be cited to court. This would allow judges to possibly order heavier fines and confiscate weapons and/or vehicles, yet avoid arrests and jury trials.

PUBLIC HEARINGS

Public hearings were conducted throughout the state in the following subject areas, the results of which are summarized: Theft and Vandalism of Livestock, Agricultural Commodities, Construction Equipment and Supplies, Oil and Petroleum, Other Equipment, and Timber.

LIVESTOCK

Hearings of the Livestock Subcommittee were held in Sacramento, Bakersfield and Chino with 122 individuals in attendance, 57 of whom testified.

The theft of livestock is still a major problem for cattlemen. Livestock-laden trucks travel throughout California and into neighboring states without being stopped to verify their loads. With the cutbacks in the brand

inspection program, the majority of the cattle and horses in this state are not inspected.* Roadside slaughter causes thousands of dollars in losses to ranchers. Dogs have harassed, maimed and killed livestock just for sport. "Most rural law enforcement officers are from urban areas and do not know the dif.erence between Herefords and heifers." This statement summarizes the general problem expressed by many of those who testified. Because cattlemen are more knowledgeable about livestock than law enforcement officers, they tend not to call the law enforcement agency and are apt to handle the problem themselves. Many individuals have been apprehended shooting at livestock from the roadside just for fun. Because of the readily available market for horse meat, all types of horses have been stolen and sold to packing houses.

Off-road vehicles and motorcycles cause erosion problems and may inhibit future growth on rural range land as a result of the activities of drivers of such vehicles.

Another major problem is littering. For example, "a cow that gets a piece of beer bottle in her foot can die of infection before the rancher even knows about it."

Recommendations: LAW ENFORCEMENT.

1. Agencies should assign only deputies with prior training and interest in livestock theft to investigate cattle theft cases. To facilitate communication, deputies should be allowed to work directly with the Farm Bureau, Cattlemen's Association, Grange Association and other rural associations.

2. Agencies should send representatives to the POST certified Cattle and Horse Theft Investigation course presented by the Northern California Criminal Justice Training and Education System, Butte Center.

3. Agencies should provide crime prevention programs to allow ranchers the opportunity to take advantage of self-help programs; i.e., security surveys, Neighborhood Watch, weekend hunter patrols and others.

4. Agencies should establish a policy of aggressive enforcement of trespassing and rustling laws to establish a "get tough" reputation which can deter criminal activity.

5. Brand inspectors should be granted full peace officer status. They are empowered to operate statewide, but are limited in what they can and cannot do in livestock investigations. Their unique knowledge is a valuable resource that can be used more extensively for the prevention and suppression of livestock theft.

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*Effective June 1982, new legislation increased brand inspection fees to a level that provides full services to the cattle industry.

6. The judiciary should become better acquainted with the industry and its terminology. Depending on the size of the problem, deputy district attorneys should develop special expertise to prosecute livestock-related cases and interact with livestock producers. Greater dialogue should be developed between livestock industry representatives and judges to facilitate education and awareness of the problem.

Recommendations: CITIZENS.

1. Branding, tattooing, ear tags, collar tags, dye and any other means of livestock identification should be employed by farmers and ranchers. This will allow for the positive identification of animals and will help convict the thief by establishing a chain of identity which can be traced to the proven rightful owner.

2. Citizens should report all crimes involving livestock to local law enforcement authorities. If the crimes are not reported, appropriate enforcement and prevention action cannot be taken.

3. Farmers and ranchers should offer to train local law enforcement in livestock identification, enabling them to know the difference between Herefords and heifers. For example, explain what "mothering-up" and a "pair" means so local law enforcement officers can communicate with ranchers on the same level. A cow's mothering instincts are so strong she can usually "mother-up" to her calf and will allow it to begin nursing. This is considered positive identification of ownership if the mother cow has been branded and can be used in court as evidence that a theft did occur. A "pair" refers to a cow and her calf - not to twin calves.

4. Citizens should be willing and available to testify in court if called upon. More and more cases are dismissed because of the lack of cooperation. Victims should promptly report crimes and be willing to testify in court.

5. Citizens should get involved in local crime prevention programs which will be of benefit to livestock owners. They should be willing to work with law enforcement agencies because without the owner's help, law enforcement cannot do an effective job.

6. Citizens should take advantage of Sections 30653 and 30654 of the Livestock Indemnity Fund allowing reimbursement (through local animal control offices) for livestock and poultry killed by dogs.

Recommendations: LEGISLATION.

1. Legislation should be enacted to require bills of sale for all brands. This would deter the larger livestock thefts if proof of ownership in every sale was required. It would establish a paper

chain of ownership and audit trail which brand inspectors and local law enforcement could easily follow.

2. Legislation (similar to laws in New Mexico and Montana) should be enacted to require mandatory branding of all cattle and horses.

3. Legislation should be enacted to allow all brand inspectors (Department of Food and Agriculture) full peace officer status and require training to increase their effectiveness.

4. Designated sheriff's deputies should become brand inspectors. Fees collected for brand inspection and fines for violations should revert back to the local county to supplement the deputy's position.

AGRICULTURAL COMMODITIES

Hearings of the Agricultural Commodities Subcommittee were held in Sacramento and Merced with 90 individuals in attendance, 16 of whom testified.

Skimming, a procedure where a false weight certificate is used to verify loads, was identified as a problem. Many thefts of hay, alfalfa, fertilizer and grains are a direct result of falsifying loads. Ninety percent of the complaints received by the Department of Weights and Measures (which enforces and investigates agricultural cases, licenses and bonds weightmasters, and investigates possible frauds) have incomplete information. Farmers often fail to maintain accurate records of transactions and delay reporting crimes to the proper authorities. Vandalism of farm machinery and irrigation systems, fence cutting and the dumping of garbage on farm land are very bothersome problems for farmers and ranchers. The theft of food products has plagued many farmers.

Thefts have adversely affected the beekeeping industry. Beekeepers refer to the stealing of bees as "shaking hives" and, at $5.00 per pound for raw bees, this represents large losses. One owner reported losing 100 hives in one county. Beekeepers also suffer from arson and vandalism of their hives.

Another problem stems from people helping themselves to orchard and row crops - picking whatever they want.

Recommendations: LAW ENFORCEMENT.

1. Rural residents should be encouraged to participate in Ride-Along programs. This allows an opportunity for the patrol officer and farmer to educate one another about their jobs.

2. Agencies should initiate undercover and sting operations and enlist the cooperation and support of the agriculturalist whenever feasible in these operations.

3. Agencies should implement crime prevention programs at every opportunity in local jurisdictions. Programs such as the Farm Bureau's Owner-Applied Numbering System (also known as the Nationwide Identification System) are an effective deterrent to theft and burglary.

4. Agencies should assign a qualified staff member to work closely with the agricultural community. There is a need to let farmers know they have a trained and concerned officer/deputy who will provide the necessary follow-up to answer questions and provide insight into pending investigations.

5. Agencies should initiate training seminars and/or meetings involving citizens and representatives from all components of the criminal justice system to discuss mutual problems and develop action plans. Similar seminars have proven to be very effective in establishing better communication and cooperation between citizens and criminal justice agencies.

Recommendations: CITIZENS.

1. Agriculturalists should maintain better records of their transactions and inventory the tools and equipment. By providing complete and accurate records and information, the criminal justice system can be more responsive to agriculturalists' needs.

2. Citizens should work with trade associations in establishing reward programs to deter vandalism and theft. By publicizing these types of programs, the awareness level of crime problems will be increased, more crimes prevented, and more criminals apprehended.

3. Citizens should work more closely with local law enforcement agencies to implement crime prevention programs. Better communication with neighbors is a proven means in combating rural crime.

4. Owners should survey their property and locate areas where they have experienced previous problems. They should take whatever steps are necessary to improve security. One farmer welded metal covers over his batteries and secured the opening with a padlock which was made inaccessible to bolt cutters. Another farmer surrounds his haystacks with ditches to prevent the theft of bales of hay. One grape grower planted his vineyard parallel to the county road to allow potential thieves to take only from the exterior plants.

Recommendations: LEGISLATION.

1. California Penal Code Section 487 should be amended to provide that an amount considerably less than $50 of stolen agricultural products shall constitute grand theft.

2. A hay ordinance (similar to the one used by Fresno County) should be adopted requiring possession of a bill of sale for the transportation of hay on public roads.

CONSTRUCTION

A hearing was held by the Subcommittee in Fresno with 30 individuals in attendance, 14 of whom testified.

Construction sites located in rural areas are prime targets for theft and especially vandalism. According to the Department of Justice's Bureau of Criminal Statistics, of the top ten thefts reported in this state, construction equipment and tools rank number seven. Hand tools seem to be popular targets for most thieves.

Theft, vandalism and inventory shortages plague most large contractors. The down time resulting from the lack of use of a piece of machinery can cause delays in meeting construction deadlines.

More losses are suffered in rural areas than in urban areas and most contractors add three percent of the total job for losses in high-crime areas and about one percent for low-crime areas.

Once tools and equipment are recovered, they are seldom returned to the rightful owners because of no owner-applied numbers. Problems are also associated with the vandalism and sabotage of construction sites by residents near those sites.

Recommendations: LAW ENFORCEMENT.

1. Agencies should encourage contractors to get involved in crime prevention programs such as Operation Identification; work with the industry's existing crime prevention organization; and attend and participate in crime prevention seminars developed by the industry for training its members.

2. Agencies should work with the judiciary to implement a system in which victims can recover equipment and/or tools before the trial. This would require taking photos of the items, recording the case numbers, a brief description of the items, and signing a statement that the owner will retain the items until the case has been resolved.

3. Agencies should provide on-site security surveys to help the contractor in the layout of his temporary construction yard.

4. There should be added to all crime report forms a category indicating whether the crime being reported occurred in a rural or urban area.

Recommendations: CITIZENS/CONTRACTORS.

1. Contractors should develop good relations with residents near the construction site. Citizens should report suspicious activity to local law enforcement.

2. Contractors should park heavy equipment near occupied dwellings to take advantage of a watchful eye.

3. Contractors should become actively involved in the industry's crime prevention program, post warning signs and offer rewards to show their involvement and concern.

4. Contractors should seek information from insurance carriers about rate reductions and decreased deductibles to contractors who become involved in crime prevention programs.

5. Contractors should adopt a unique color scheme to distinguish their vehicles and equipment from that of other companies. The California Department of Transportation (Cal Trans) uses a large logo and bright orange paint, which makes its vehicles stand apart from others.

OIL AND PETROLEUM PRODUCTS

A hearing was held by the Oil and Petroleum Products Subcommittee in Bakersfield with approximately 60 persons in attendance, 26 of whom testified.

Law enforcement officers need adequate training to identify the various types of oil industry equipment. Oil trucks used to transport crude oil are not marked for easy identification by law enforcement. Lack of security at storage facilities encourages crude oil theft. It is difficult to determine if oil theft is occurring or the production rate of a well is decreasing. If someone steals small amounts of oil from a storage tank or tank battery, it will probably not be discovered. The loss of oil field equipment is a very serious problem and the resulting down time drastically increases production costs.

Most oil companies are not aware of the extent of thefts of crude and, as a result, have not taken the necessary steps toward prevention. According to one person who gave testimony, "You are dealing with two different commodities when dealing with equipment and liquid measurements. You will never be accurate on gauging and readings of crude oil due to spillage and expansion of the oil due to climate."

Recommendations: LAW ENFORCEMENT.

1. Agencies should contact insurance companies, oil company associations and others to fund undercover oil theft investigation.

2. Agencies should assign an officer to work closely with the oil industry representatives. One law enforcement agency has developed a training guide in booklet form with pictures and descriptions of oil field equipment for use by its investigators.

3. Agencies should initiate a Secret Witness reward program, funded by the industry, to encourage potential victims and witnesses to come forth anonymously with information.

4. Agencies should contact the Western Oil and Gas Association (WOGA) for information on their Oil Field Theft Prevention Program and involve independent producers, drillers, oil and gas companies, production companies and others in this effort.

5. Agencies should conduct seminars and mini-conferences for the purpose of educating members of the criminal justice system and the public about the oil-related industry.

Recommendations: CITIZENS/OIL INDUSTRY REPRESENTATIVES.

1. Citizens should get involved in the Oil Field Theft Prevention Program developed by the oil and gas industry.

2. Oil industry representatives should mark tools and equipment for easy identification by law enforcement - using the National Crime Information Center (NCIC) numbering system (also known as the Nationwide Identification System).

3. The oil industry should maintain inventory records of all tools and equipment.

4. Industry representative should not buy oil field equipment from sellers offering the items at far below their value. They should report such offers to local law enforcement agencies.

5. The industry should contribute funds to reward programs and law enforcement conducted undercover operations as a way of supporting these activities.

6. Company names should be placed on all vehicles for easier identification by law enforcement.

7. The industry should set time limits on delivery drivers, conduct background checks on employees, and use a scale to weigh trucks before and after delivery, noting the driver's license number, truck number and any other pertinent information.

8. The industry should lock all tank batteries and employ security personnel in remote areas to monitor storage tanks.

EQUIPMENT THEFT

CRCPTF held no hearing on this topic. A task force was created by the California Department of Justice and a member of the CRCPTF served as its chai_man. To avoid duplication of effort, the findings of the Department of Justice Task Force on Equipment Theft have been made a part of this summary.

California is exceeded only by Texas in the number of stolen units. Much of the stolen equipment is exported to foreign countries. From 1979 through 1981, there were 2,591 reported equipment thefts in California with a total value of $65,139,000. The total units recovered for this same period were 1,130, with a value of $28,421,950. As much as 30 percent of all stolen equipment is never reported to law enforcement. Reasons given for not reporting include, "the police would never find it anyway" and "I don't want my insurance premiums raised." There is no requirement for title or other ownership documents with this equipment and law enforcement must usually take the word of the person in possession of the equipment.

Manufacturers of this equipment have never been required to standardize identification numbers or their placement on these machines and as a result, law enforcement lacks knowledge in such identification. Title or other ownership documents, uniform identification numbers and standardized locations of such numbers are among the efforts some manufacturers have opposed.

Equipment users are seldom interested in loss prevention prior to a loss. Equipment theft is a high-return, low-risk crime for the professional thief. The probability of prosecution is low and, when apprehended, most equipment thieves are treated similarly to a 16-year-old joy rider. In almost every case, equipment thieves are a highly organized group of professionals, stealing "to order," with ready markets. Rarely do these people go to jail or prison; but, even worse, rarely are they ordered to make restitution.

Recommendations: LAW ENFORCEMENT.

1. Agencies should develop extensive in-depth training programs for law enforcement to identify the problem and teach prevention and investigative techniques.

2. Loss prevention methods should be made available to manufacturers, dealers and users by local law enforcement.

3. Attempts should be made to promote standardized product identification numbers and locations.

Recommendations: CITIZENS (USERS, MANUFACTURERS, DEALERS, ETC.).

1. The program model implemented by the John Deere Company, standardizing its product identification numbers and locations, should be followed by other manufacturers.

2. Industry-related crime prevention programs should be implemented by all segments of the industry.

3. Insurance carriers should be contacted to develop incentives for loss prevention measures adopted by owners.

Recommendation: LEGISLATION.

1. Legislation should be enacted to require the issuance of title by the State of California for equipment with a one-time administrative cost and only for the sale or transfer of title thereafter.

TIMBER INDUSTRY

A hearing was held by the Timber Industry Subcommittee in Eureka with approximately 50 persons in attendance, 15 of whom testified.

There are three major problem areas associated with the timber industry: vandalism and theft of equipment, theft of wood products, and trespass for the purposes of illegal marijuana cultivation on forest lands. Reported losses by individual logging contractors and landowners involving vandalism and theft range from yearly losses of $500 to $500,000. This includes the theft of gasoline, fire fighting tools, chainsaws and other related items a contractor must maintain on the job site. Reported acts of vandalism include pouring cement into radiators, shooting at heavy equipment and general destruction of job sites.

The higher demand for firewood may be a result of increasing engergy cost. Firewood cutters are removing wood from both private and public lands at an alarming rate. Private land adjacent to a public road or government land is the most vulnerable to illegal cutters. Under Penal Code Section 384.5, firewood cutters are required to obtain and have in their possession a permit to cut firewood.

The Six Rivers National Forest estimates that illegal cutting of firewood has accounted for losses of between $250,000 to $300,000 per year. The illegal commercial firewood cutters, who receive anywhere from $60 to $300 for a cord of wood, are causing the most concern among landowners.

Boundary lines between public and private forest lands cannot be fenced because of the costs involved and, in some instances, unidentifiable boundary lines. Landowners are still concerned with the problems caused by careless campers (fires) and damage to the environment. However, the major problems are associated with the illegal growers of marijuana. These trespassers can ply their illegal trade in the forest because of the excellent growing environment and the cover from aerial surveillance offered by the trees. The damage to the natural resources caused by clearing land for growing marijuana and use of harmful fertilizers, pesticides and other chemicals inhibit and

restrict the growth potential of trees. Fire is often used as a fast method to clear land of brush and trees and unstable roads are built which cause erosion damage. The harassment techniques used by growers to intimidate landowners and government employees have discouraged many individuals from reporting the trespassers to the proper authorities. Many testified that they felt the growers were tolerated by authorities because of the lack of manpower to enforce any laws in the area and a reluctance to disrupt this economy-stimulating trade.

Recommendations: LAW ENFORCEMENT.

1. Agencies should provide more cooperation and support to timberland owners and loggers, with an officer assigned to work closely with these groups.

2. Increased surveillance of locations where timber operations are taking place should be provided.

3. More publicity should be generated following arrests of marijuana growers and confiscation of their marijuana crops.

4. More aggressive enforcement of Penal Code Section 384.5 should be implemented.

5. A Secret Witness program should be implemented.

6. More aggressive enforcement of the trespass laws should be initiated to deter future trespassers on private lands.

Recommendations: CITIZENS-LANDOWNERS, LOGGERS, CONTRACTORS.

1. Loggers and contractors should become more involved with local law enforcement agencies through crime prevention programs.

2. Owners, loggers and contractors should pledge monies toward reward programs and help publicize these programs locally.

3. Loggers and contractors should identify all tools and equipment with an owner-applied number which can be traced by law enforcement agencies nationwide.

4. Logging site security personnel should be employed, when feasible, to maintain surveillance of equipment and tools located at the site.

5. Tools and equipment which need not remain on the logging site overnight should be removed; locks should be used on all gasoline tanks; gates should be installed where feasible to deter trespassers; and signs should be placed on active logging sites to discourage trespassers and vandals.

6. Loggers should work with local law enforcement agencies in establishing a volunteer patrol program.

Recommendation: LEGISLATION

1. Legislation should be enacted to provide that private landowners be held harmless from liability for injuries suffered by trespassers.

Sheriff's Office
County of Sonoma Hall of Justice
600 ADMINISTRATION DRIVE, ROOM 103-J
P.O. BOX 5834
SANTA ROSA, CALIFORNIA 95406
707-527-1511

July 19, 1983

Charles B. Rangel, Chairman
Select Committee on Narcotics Abuse and Control
c/o Congressman Eugene A. Chappie
500 Cohasset Road, Suite 30
Chico, California 95926

Dear Chairman Rangel:

The cultivation of marijuana in Sonoma County has shown a steady increase from the early 1960's to the present level of large commercial operations in 1983. To combat this ever increasing problem, more and more of my Department's resources are being required at a time when those resources are already spread thin. As you are aware, the enforcement efforts required in the area of marijuana cultivation are costly, in both manpower and other resources, and consume a large percentage of our manhours in the cultivation season.

In 1980 the Sonoma County Sheriff's Department made a strong commitment to the eradication of marijuana and seized approximately 6,000 plants. In 1981 there were indications that that commitment had impacted the cultivation of marijuana because of reductions in plant seizures. While seizures in 1982 did not increase, the apparent sophistication of the growers did. More sophisticated watering systems were found and significant efforts to restrict aerial observation were noticed. A more serious problem, however, did arise in 1982. Violent encounters between growers and marijuana thieves indicated that the potential for further violence was present. This coupled with other indicators lead us to believe that we were only seeing the tip of the iceberg.

With these observations in mind we prepared our 1983 Marijuana Eradication Plan. At present this plan has already resulted in the seizure of 7,000 plants.

We, in Sonoma County, believe that the cultivation of marijuana is a serious problem and applaud this Committee on Narcotics Abuse and Control in its efforts to support local law enforcement agencies in their fight. It is our belief that all segments of the Criminal Justice System must be made aware of the seriousness of the problem so that a coordinated effort can be made.

In closing, I would like to recommend the following for considerations:

(1) Do not allow persons convicted of marijuana cultivation to be eligible for diversion.

(2) Require mandatory prison sentences for persons convicted of cultivation of marijuana when it is an obvious commercial venture.

(3) Simplify search warrant requirements in cultivation cases.

(4) Simplify California Health and Safety Code Sections 11470 (a) and (b) to allow seizure of all items or property related to the cultivation.

(5) Explore better methods of on-site destruction of the seized marijuana.

Sincerely,

ROGER M. MC DERMOTT
Sheriff-Coroner

Louisiana-Pacific Corporation

P.O. Box 629
Red Bluff, California 96080
916/527-4343

July 20, 1983

Select Committee
Attn: Congressman Eugene A. Chappie
500 Cohasset Road, Suite 30
Chico, California 95926

Honorable Eugene A. Chappie:

Louisiana-Pacific Corporation is a major purchaser of U.S. Forest Service timber each year. Within the Sierra Division of which I am the Resource Manager, we harvest approximately 150 million board feet of Forest Service timber each year.

We have encountered illegal marijuana growers on U.S. Forest Service timber sales and also on our own lands which for the most part are intermingled with federal lands. In most cases the illegal growers have used both parties' timber lands; access, camping, etc., during one operation.

Our loggers have had some equipment vandalized and assumes it was due to suspected growers. Several loggers have had to make deals with growers to protect their equipment. By "Deals", not reporting the growers, logging around an area being used to grow marijuana, etc.. Loggers are aware growers are in the mountains at all times and fear for their equipment.

I don't have any real good suggestions on how to rid the forests of these people. It is a major problem and I don't think local law enforcement agencies have the equipment or manpower to cope with the problem.

Louisiana-Pacific Corp.,

Andy Brantley
Resource Manager

Butte County

LAND OF NATURAL WEALTH AND BEAUTY

BOARD OF SUPERVISORS
ADMINISTRATION CENTER
25 COUNTY CENTER DRIVE - OROVILLE, CALIFORNIA 95965
Telephone: 916/534-4224

ALFRED J. SARACENI, District 1
JANE DOLAN, District 2, CHAIR
BERTHA MOSELEY, District 4
HILDA WHEELER, District 3
LEN FULTON, District 5

July 21, 1983

Congressman Eugene Chappie
1730 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Chappie:

Butte County has felt the impact of the marijuana growers for several years. They have flooded the county with drugs, increased our property crimes to purchase drugs or obtain farming supplies, been the center of many drug related murders and made our abundant recreation areas dangerous for the law abiding citizen. They have also proliferated to the point where they have invaded commercial timber and farm land making it impossible for the honest farmer, rancher or lumberman to operate without fear for their safety and the safety of their employees.

The Board of Supervisors and the citizens of Butte County are in total support of the Butte County Sheriff's Department marijuana eradication effort. We are concerned about his limited resources and appreciate the cooperative effort provided through federal and state agencies.

Be assured that the Sheriff will continue to receive our unequivocal support in his drive to remove the dangerous marijuana crop from our county.

Sincerely,

Jane Dolan
Chair

ARIZONA
CRIMINAL INTELLIGENCE SYSTEM AGENCY

[redacted]

BRUCE BABBITT
Governor

4370 South Fremont • Tucson, Arizona 85714 • (602) 628-5104

FRANK F. NAVARRETE
Director

August 2, 1983

The Honorable Charles B. Rangel, Chairman
Select Committee on Narcotics Abuse
and Control
Room H2-234
House Office Building, Annex 2
Washington, D. C. 20515

Dear Chairman Rangel:

I want to thank you for the opportunity to present the scope of Arizona's drug control and eradication problems to the Select Committee. I hope my testimony will assist the Committee in developing programs and legislation to help us address these problems more effectively.

Congressman Chappie suggested that I write the Committee and identify the types and cost of equipment that is needed to assist in marijuana eradication efforts statewide. Due to our mission of support to all law enforcement agencies in the state, we do have a very limited pool of equipment we lend out as investigative needs arise. This equipment is therefore available to agencies that could not otherwise afford it. The equipment also has a much higher degree of utilization than it might get in the permanent custody of a small agency having only sporadic need for it.

Arizona is the sixth largest state in the union. Almost 2 1/2 times as large as New York, Arizona has only slightly more than one tenth the population. Two thirds of that population is concentrated in a few hundred square miles centered in Phoenix and Tucson. The other 113,000 square miles is sparsely populated and much of it is remote. The law enforcement agencies having jurisdiction in these areas are generally small and are supported frugally by small tax bases. As a consequence, most agencies do not have the equipment that is vital in the location, identification and eradication of marijuana fields. The required materiel is primarily surveillance and communications equipment and gear that permits access, survival and cover in rugged, remote areas.

Based upon extensive experience, my personnel have developed a "package" of equipment that would outfit a drug eradication team. This package costs approximately $55,000. Ideally, four of these packages would be available through ACISA to all agencies in Arizona with one in each of four active regions. Depending upon funding availability, however, three, two or even only one package would be cost effective.

The basic package includes:

- Portable radios and chargers
- Nightscope
- Stabilized binocular
- Camping gear to include packs, tents, bags, ropes, etc.
- Camera kit with zoom lens
- Portable video camera, recorder and battery pack
- Spotting scope
- Heavy duty 4X4 vehicle
- Camouflage netting

There are also other types of equipment that would contribute to success in this area. One is a LORAN navigation device for pinpointing locations of marijuana fields. This item costs $2450. Another useful piece of equipment is a portable microcomputer system compatible with our system in Tucson. This allows interface with extensive law enforcement databases and the ACISA criminal intelligence database. Rapid identification of vehicles, aircraft, and perpetrators is made possible and often background information can be provided. Complete microcomputer systems cost approximately $4500. Up to four systems are needed.

As you can see, we are not talking about huge sums here. All the equipment mentioned here could be available in adequate quantities for less than $250,000.

If you or your staff members have need for further information, we will be happy to provide it.

Sincerely,

Frank F. Navarrete
Director

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
BOISE 83720

JIM JONES
ATTORNEY GENERAL

TELEPHONE
(208) 334-2400

August 2, 1983

Honorable Charles B. Rangel
Chairman
House Select Committee on
Narcotics Abuse and Control
Rm. H2-234 House Office Bldg.,Annex 2
Washington, D. C. 20515

Dear Congressman Rangel:

During the field hearing on marijuana eradication which was chaired by Congressman Eugene Chappie on July 23 in Redding, California, Congressman Chappie requested that I submit information indicating what type of assistance the State of Idaho might need from the federal government in order to facilitate our marijuana eradication effort. Pursuant to Congressman Chappie's request, I am submitting for inclusion in the record a letter from the Director of Police Services of Idaho's Department of Law Enforcement, outlining a modest proposal for federal assistance to the State of Idaho which would constitute a good beginning in an effort to have the federal government shoulder its fair share of the marijuana eradication effort in Idaho. As I indicated during the hearing, the federal government has not carried its fair share of the burden in the drug enforcement effort in my state, especially in light of the fact that about half of the marijuana grown in Idaho is grown on federal land.

I certainly do appreciate the fact the field hearing was scheduled and held in the West. This gave those of us who operate on tight budgets the opportunity to attend and have our input on this important problem.

With thanks and best wishes, I am,

Sincerely,

JIM JONES
Attorney General

Enclosure

STATE OF IDAHO
DEPARTMENT OF LAW ENFORCEMENT

JOHN ROONEY
Director

JOHN V. EVANS
Governor

July 27, 1983

Police Services Division
6081 Clinton St.
Boise, ID 83704
(208) 334-2909

RECEIVED
JUL 27 1983
Office of The Attorney General

The Honorable Jim Jones
Attorney General
State of Idaho

STATEHOUSE MAIL

Dear Jim:

I appreciate the efforts you have put forth on behalf of the state to minimize the social and law enforcement problems of illicit drug traffic. Be assured of the Department of Law Enforcement's concern and support in mutual efforts.

With regards to the specific areas which the federal government could be most effective in supporting the State of Idaho in effecting a deterrent to the drug traffic, the following is suggested:

1. Provision of an additional $30,000 to the state's Marijuana Eradication Program;
2. Assignment of additional DEA agents to Idaho; i.e., two in Boise and one in Spokane with Idaho area of responsibility;
3. Make available without cost to the state, helicopter transport for officers to access mountainous and remote areas in exceptional cases.

Again, your assistance in this matter is greatly appreciated.

Sincerely,

L. Gene Hopkins
Administrator

DEPARTMENT OF JUSTICE
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400

August 18, 1983

The Honorable Charles B. Rangel
Chairman, U.S. House of Representatives
Select Committee on Narcotics Abuse
and Control
House Office Building Annex 2, H2-234
Washington, D.C. 20515

Dear Congressman Rangel:

I followed with keen interest the hearings of your Select Committee on Narcotics Abuse and Control and was pleased that members of my staff were able to present the views of the Oregon Department of Justice concerning the problems posed by large-scale commercial cultivation of illegal drugs. We genuinely appreciate the courtesies extended to our staff as well as the obvious and intense interest of members of your committee in discerning the scope of the problems we face.

At the conclusion of your hearings, we were asked to provide follow-up data concerning the need for and deployment of additional resources which might be provided through federal action and our views generally about the effectiveness of various federal agency efforts in this area. We are pleased to respond.

1. Attached as an enclosure to this letter is a detailed staff report, developed with the cooperation of the Oregon State Police and Oregon Sheriffs Association, concerning specific resources which are currently unavailable to the Oregon law enforcement community which would have, in our judgment, a demonstrable impact in improving the detection and eradication of large-scale illegal commercial marijuana. As you may note, the request is targeted and specific. It could promise significantly improved enforcement with a relatively modest increase in resources.

2. Let me reiterate on behalf of scores of Oregon law enforcement units the critical importance of the intelligence gathering and analysis capabilities of the Western States Information Network (WSIN). You may know that in some quarters of the executive branch there exists skepticism about the value of these regional networks. From our perspective on the operational level, we unequivocally reject such skepticism and wholeheartedly endorse both continuation and enhancement of this effort. As you may also know, it has only been through the continued advocacy of these programs by key congressional supporters that has permitted continuation of any modest appropriations for the effort over the last several years.

We sincerely hope that you and your committee continue to recognize two key aspects of this program which are simply unavailable elsewhere in the law enforcement system. These are, first, the availability of a data-based and scientifically sound analysis system which allows rational deployment of scarce enforcement resources and, second, a forum for national, state and local law enforcement coordination and information sharing on a regional basis. Even though we commend the Administration's formation of Law Enforcement Coordinating Committees, those committees are not a substitute for the region-wide focus and daily operational coordination which the information networks such as WSIN ideally can provide.

3. It has come to our attention, regrettably through the news media, that the Drug Enforcement Administration has targeted forty states, including Oregon, for "consideration" of paraquat spraying to eradicate marijuana on federal lands. Oregon state officials have much disquiet about this planning process without our involvement. The inevitable controversies, the already publicly demonstrated concern and the potentially serious legal liability issues suggest to us that the commendable mandate to eradicate threats to citizen users of national forest lands and wilderness recreation areas should be met by means other than use of toxins which many believe present health hazards to innocent third parties.

Your committee may wish to study the cost/benefit implications of the proposed spraying strategy before plans are implemented on a nation-wide basis without the consent and knowledge of state and local health and law enforcement officials.

Let me reiterate my thanks for your attentiveness to state and local concerns. We stand ready to assist you, your colleagues and your staff in working for the mutual benefit of the public on these vital issues.

Sincerely,

Dave Frohnmayer

DAVE FROHNMAYER
Attorney General

DF:tlg
Enclosure
cc: Committee Members and Counsel

TO Dave Frohnmayer
Attorney General

DATE: August 2, 1983

FROM Charles E. Pritchard CEP
Administrator, Criminal Justice Division

SUBJECT Operation Sinsemilla
Oregon Marijuana Eradication Program - 1983
Equipment Needs

1. Fixed-Wing Aircraft (high-wing configuration with performance capabilities similar to the Cessna 182 Skylane RG w/STOL kit and Piper Supercub).

High-wing aircraft are essential equipment to the marijuana eradication program for two critical reasons. One, they allow aerial observation of the illicitly grown cannibus. Whether gardens are observed through regularly programmed flights over government lands (profiled as conducive to growing) or they are flown to verify observations reported by concerned citizens, informants and other sources, aircraft are necessary to allow visual observation and photographing of cannibus crops. Law enforcement officers have the responsibility of accurately identifying locations and supporting their identifications to satisfy the courts' probable cause requirement before issuance of a search warrant. Two, aircraft provide the most practical means of surveilling narcotic activities, transportation and distribution of the product as well as identifying movements of primary suspects and their associates.

2. Rotary-Wing Aircraft (capable of transporting personnel and cargo).

The outside production of cannibus gardens in Oregon continues to occur in isolated and nearly inaccessible areas. Ground movement into these areas is not only time consuming but invariably results in an early warning to the suspect growers who depart the crime scene long before law enforcement officers arrive. In some instances, the inability of officers to quickly arrive at a garden has resulted in harvesting of the plants and departure of both plants and suspects from the area prior to execution of the search warrant.

Further, it has been difficult and time consuming in the past to remove seized cannibus plants that number up in the hundreds from remote and isolated gardens. Environmental

requirements and the ever-present danger of forest fire, have prevented burning or the use of herbicides. This requires harvested plants to be removed manually from the area for destruction under controlled conditions.

3. Portable Navigational Aids (re: LORAN-C equipment).

Current improvements in navigational equipment allow users to accurately identify their location, its relationship to known points and distances involved. Utilizing "LORAN-type" equipment, an aerial observer can accurately record the coordinates of a cannibus garden which then aids in preparation of the affidavit for search warrant and relocation of the garden by ground units. Again, the remote and isolated areas where outside gardens are grown, particularly large crops that are scattered over an extended area in small plots, require sophisticated navigational equipment as an aid to their location and destruction.

4. Miscellaneous Communications Equipment (i.e., base stations, mobile units and portable hand-held radios).

Obviously, it is essential that law enforcement officers have excellent communications to coordinate the locating and destruction of cannibus fields. Good communications are paramount for security reasons, safety of the officers, surveillance activities, coordination of harvesting efforts and contact with the base station for continuous logging of events plus receipt of criminal and investigative information during the execution of search warrants.

5. Photographic Equipment.

High-quality, 35 mm Single Lens Reflex cameras with interchangeable lens (covering wide-angle through telephoto use) are essential tools in the recording of located fields, providing evidence for search warrant requests and prosecution, documenting harvesting and destruction plus affording (with remote control) excellent opportunities for intelligence gathering and identification of suspects.

6. Vehicles.

The requirement for four-wheel drive, all-weather/all-terrain vehicles is supported by the very fact that most outside growers cultivate their crops in remote, isolated areas, inaccessible to normal vehicular traffic.

7. Funding.

Necessary to support an in-place, year-round strike force comprised of state and local officers on loan from the state, county and municipal level. These funds would be expended to offset the salaries of assigned individuals, their per diem and overtime costs as well as maintenance funds.

Marijuana Cultivation on National Forest Lands - CY 1982

Date 1/10/83

Region WO-Summary of Regional Reports

National Forest

Ranger District (Ranger District Data Not To Be Submitted to WO)

Completed by Alfred A. Audry

	Known/ Estimated No. of Gardens		Estimated No. of Plants
Number of Marijuana "GARDENS" 1/ known to exist on NF lands in Calendar Year 1982	2,082		430,046
Estimate the number of "GARDENS" harvested successfully by growers.	5,209		1,116,747
Number of confiscations on the Forest in 1982.	1,118		187,464
Personnel Resources Invested on the National Forest.	Person Days 2/		
	S	I	E
Estimate the number of person days spent by local law enforcement officials.	1,757	3,288	2,735
Estimate the number of person days spent by State police officials.	1,270	1,565	1,342
Estimate the number of person days spent by DEA, FBI, etc.	231	250	111
Estimate the number of person days spent by Forest Service employees.	600	1,615	1,760
Estimate the number of acres of National Forest Land with reduced management/public use potential due to marijuana gardens and culture associated w/marijuana cultivation.	ACRES		
	1,534,000		

1/ GARDEN - A distinct plantation or small groups of plants suspected to represent a given individuals' or groups' cultivation effort.

2/ Person Days: S = Surveillance, I = Investigations, E = Eradication

$1 million pot sweep to use spy planes

SACRAMENTO (AP) — A new $1 million federal-state crackdown on Northern California marijuana growers will use high-flying spy planes with cameras so sensitive they can pick up license plate numbers.

The program will be concentrated in 14 counties where the state has been trying to suppress lucrative marijuana growing.

Sonoma County is included in the target area. Marin is not.

A spokesman for the federal Drug Enforcement Administration said the counties picked all have had high concentrations of marijuana farms in the past.

The spokesman, Steve Wood, told the Independent Journal that additional funds will be given to non-targeted counties, such as Marin, to support local efforts against marijuana.

Marin Sheriff Charles Prandi, noting the marijuana growing season is well under way, said his department already is mapping its plan of attack.

"We're not saying how but I assure you there will be some major seizures this year," Undersheriff Roger Scuitto added.

During a news conference Wednesday, state Attorney General John Van de Kamp said the joint federal-state crackdown is the beginning on a long-range effort to reduce marijuana cultivation in California.

He said the federal government will provide $500,000 for the program, and will furnish high-altitude planes to survey wide areas looking for pot plots. The program will run from August through October, he said.

Joseph Krueger, head of the San Francisco regional office of the U.S. Drug Enforcement Administration, said U-2 spy planes have been used for such work in the past.

Van de Kamp said pictures taken by the planes have been magnified to show license plate numbers of cars on the ground.

After the survey flights, lower-level state and federal planes will fly over target areas and get infor-

See Pot, page A8

Pot

From page A1

mation that can be used in obtaining search warrants, Van de Kamp said.

Helicopters will carry "strike teams" to the raids. Unlike his predecessor, Gov. George Deukmejian, Van de Kamp said he will not lead any raids.

Asked how people's privacy would be protected, with authorities able to use such detailed aerial photographs, Van de Kamp said only that no "official action" would be taken with any photo obtained without a warrant.

Steve Helsley, who heads narcotics enforcement in Van de Kamp's office, said an estimated 90,000 marijuana plants were seized in California last year. Van de Kamp said authorities have spotted much marijuana from the air before but couldn't afford to move against it before getting the federal grant.

Agencies taking part in the program include the U.S. Forest Service and Bureau of Land Management, supervisors of huge tracts of rural land where authorities have found marijuana plantations.

The 14 counties are Butte, Del Norte, Humboldt, Lake, Mendocino, Monterey, San Mateo, Santa Clara, Santa Cruz, Sierra, Siskiyou, Sonoma, Trinity and Yuba.

— *Independent Journal reporter Erik Ingram provided information for this story.*

San Francisco Chronicle **** Thurs., July 21, 1983

How State Plans to Attack Pot Farms

By Steve Wiegand
Chronicle Correspondent

Sacramento

Federal, state and local officials yesterday unveiled details of an ambitious $1 million plan to wipe out marijuana growing in Northern California, an effort that will make use of spy planes to locate pot crops in rugged backcountry.

Flanked by lawmen from a half-dozen different government agencies, state Attorney General John Van de Kamp said the program will begin next month during harvest time for marijuana farmers.

"We're not here today to make great sweeping promises that all marijuana plantings will be eradicated in Northern California this year," Van de Kamp said, mindful of past pledges that have failed to dent the lucrative dope-growing trade.

"But this is a serious effort, and it is the beginning of a long-range effort to substantially reduce commercial marijuana cultivation in California."

The drive will be called the Campaign Against Marijuana Planting, or CAMP.

Efforts three years ago by Governor Deukmejian — who was then attorney general and who personally led several pot raids — were criticized as little more than publicity gimmicks.

Van de Kamp insisted that the new effort will be different because it relies on ultra-sophisticated technology to find the crops, and cooperation between different levels of government to destroy them.

He also said that he does not plan to go on any raids.

Under the plan, high-altitude surveillance planes such as those used in spy missions will be used by the federal Drug Enforcement Administration to photo-map densely forested and remote regions in 14 Northern California counties.

The counties include Butte, Del Norte, Humboldt, Lake, Mendocino, Monterey, San Mateo, Santa Clara, Santa Cruz, Sierra, Siskiyou, Sonoma, Trinity and Yuba.

Van de Kamp said that photographs from the high-flying planes are so detailed that car license plates can be read in the magnified pictures.

Using the photos, local and state planes and helicopters will reconnoiter the pot plantations and warrants will be obtained.

Then commando-style raiding teams of 14 to 16 federal, state and local law enforcement officials will swoop in, seize and destroy the crops and arrest the growers.

The attorney general acknowledged that there may be some difficulty in getting courts to accept the randomly taken photos as the basis for issuing search and arrest warrants, but he denied that the picture-taking represented an invasion of privacy.

Van de Kamp said that federal agencies will be more directly involved in this effort than in previous ones, with U.S. officials providing more than half of the $1 million the program is expected to cost.

Agencies involved in operation CAMP include the federal Drug Enforcement Administration, the Bureau of Land Management, the U.S. Forest Service, the U.S. Marshal's Service, the state Department of Justice and Department of Forestry, the California Highway Patrol, the National Guard and local police and sheriff's departments from around the state.

Law enforcement officials say marijuana farming in Northern California has increased in recent years because the state decriminalized personal use of small amounts of marijuana in 1976, because foreign sources of marijuana have been restricted and because the quality of Northern California dope is considered by pot connoisseurs as among the best in the world.

Officials say that estimating the cash value of marijuana crops is difficult, but agree that it probably exceeds $100 million annually. In some north coast counties hit hard by recent sags in the lumber industry, marijuana has reputedly become the No. 1 industry.

The growth of pot farming has also led to numerous confrontations between armed marijuana farmers and 'trespassers' — including hikers, government forest workers and would-be thieves — and the use of deadly booby traps to protect crops.

"We now have very large areas that we consider unsafe for the public to use because of the me-

Pot raid help vowed

Redding, Calif., Record Searchlight

Congressmen watch one

July 23, 1983

By DAN POPKEY

Hovering in military helicopters above a north state marijuana plantation Friday, three congressmen watched 15 officers — armed with semiautomatic weapons and wearing bulletproof vests — seize 500 pounds of pot with a potential value of $1.2 million.

The armed men, from local, state and federal law enforcement agencies, also confiscated sophisticated irrigation equipment, fertilizer, rodent poison and camping equipment from the plantation near Clear Lake in Mendocino National Forest.

No arrests were made.

The congressmen, members of the House Select Committee on Narcotics Abuse and Control, were in Redding for hearings on illegal marijuana cultivation before they boarded three helicopters and flew south for the orchestrated raid.

Rep. Charles Rangel, D-N.Y., the committee chairman, was joined by Reps. Gene Chappie, R-Chico, and Jerry Lewis, R-San Bernadino, in vowing to escalate federal efforts to combat cultivation of the drug.

Before the afternoon raid, the committee heard testimony linking north state marijuana cultivation to a dozen murders, the corruption of schoolchildren and the pollution of streams.

"It is war," said Humboldt County Supervisor Anna Sparks of the effort to eradicate marijuana.

Ms. Sparks said pot growers use automatic weapons, attack dogs, land mines, punji sticks, crossbows and booby-trapped shotguns to protect their plantations.

Other officials added Bengal tigers, fishhooks strung at eye level on nearby trails and grenades to that list.

Zane Smith, Pacific Southwest regional forester for the U.S. Forest Service, said growers use public lands to grow half the marijuana grown in the state.

Pot growers make a half million acres of national forest in California unsafe, he said.

"We keep our people out," Smith told the committee, adding that rangers have been shot at and fallen victim to booby traps.

"We've got Hell's Angels, banditos, the degenerates of the world coming into our area" to cultivate the crop, Ms. Sparks said.

More than $1.2 billion worth of marijuana was grown in California in 1982, according to federal estimates.

Lewis said Friday's activities were similar to a congressional visit to embattled Central America.

"The sense of domestic warfare isn't something you can get from a book," he said, suggesting that the National Guard may be able to assist financially strapped local authorities in fighting marijuana cultivation.

Officers from the U.S. Customs Service, the state Bureau of Narcotics Enforcement, the U.S. Forest Service and the Lake County Sheriff's Department participated in the raid.

After a helicopter dropped a rope basket holding the seized plants and equipment at a Lakeport airport, Lewis, Rangel and Chappie eagerly opened it.

"This reminds me of what I've seen in Jamaica and Mexico," Rangel said.

Chappie, who had suggested the Redding hearings and the participation in a raid, said the day's activities "dramatized" the scope of the problem. About 20 members of the news media covered the raid.

He added, however, that "this is not a show, my friend. This is hardball."

Chappie, a farmer who was especially impressed with the plantation's sophisticated spring-fed irrigation system, said federal payments to counties to fight the cultivation should be increased.

"We put a piddling amount of money in these counties," he said. "It's really tragic."

The Forest Service, which oversees 20 million acres covering one-fifth of the state, will contribute just $230,000 to eradication efforts this year, although national forests serve as the state's prime marijuana-growing lands, Smith said.

Committee aide John Cusack said the panel is in Northern California to embark on a "major effort" to halt domestic cultivation of the drug, adding that the United States is bound by an international treaty to "seek out and destroy" marijuana.

Federal efforts have been concentrated largely on reducing the smuggling of drugs into the United States, Cusack said, but that emphasis could change if domestically grown supplies, which account for about 20 percent of U.S. consumption, aren't reduced.

"You can't make suggestions to other governments if you're not doing something about it at home," said Elliott Brown, another committee aide.

But that will take money, the congressmen were told.

Butte County Sheriff Hal Brooks said his department can identify scores of plantations, but doesn't have the funds to seize the pot or pursue effective prosecution of offenders.

"If we have the resources, we can get the job done," he said.

Rep. Duncan Hunter, R-Coronado, who attended the hearing but did not go on the raid, said he supports expansion of confiscation efforts as a cost-effective enforcement measure.

Hunter said it is "intolerable" that authorities can identify pot plantations but can't afford to confiscate the crop.

Cusack said seizure of the marijuana would be an effective deterrent.

"We know from experience in other countries that when you take that crop out two or three years in a row, they don't grow it anymore," he said.

Committee members said one barrier before them is a lack of reliable data about the trade.

The congressmen learned that authorities destroyed 1,333 metric tons of marijuana in 1982, while estimates had put the domestic crop at just 1,200 metric tons.

The hearing resumes at 9 a.m. today at Redding Municipal Airport.

Sacramento Bee, July 24, 1983

Waging Pot War With 'Nickels'

By Lee Fremstad
Bee Staff Writer

REDDING, Shasta Co. — For the congressman from Manhattan and his staff, this weekend's hearings on the incursion of commercial marijuana growers into public lands in California was an on-site learning experience.

Rep. Charles B. Rangel, who heads the House Select Committee on Narcotics Abuse and Control, represents a compact New York City district that he can circle on foot before noon.

Rangel spent an enlightening visit in Northern California in the eight-county district represented by Rep. Eugene Chappie, R-Chico. The tour included a helicopter flight over hundreds of square miles of remote mountains and valleys to witness a marijuana eradication raid in the Mendocino National Forest in Lake County.

"We're throwing nickels and dimes at this tremendous problem," Rangel said after viewing the 300 to 400 pounds of marijuana seized and hearing testimony Friday and Saturday detailing the use of public lands for commercial pot growing.

Chappie said that before the California trip there was "some skepticism" on the part of the committee of the value of the California hearing. Rangel was among the skeptics.

"There was a degree of concern as to why the hearing was essential, when in the Eastern areas they virtually ignore marijuana because of the abundance of drugs," said Chappie. Rangel said that marijuana is a low priority for law officers in his district.

"I think the raid was an incredible experience for them," Chappie said of the congressmen's tour.

Also on the trip was Rep. Jerry Lewis, R-San Bernardino, who said "there is a great tendency for those across the Potomac River to believe that the world turns as the Washington Post turns.

"Congressman Rangel spoke time and time again of the value of our trip. It is clear that we are going to have to take steps at the federal level to re-evaluate our responsibilities."

New Yorker Rangel, who wore a dress shirt and suit while the Western congressmen switched to blue denims and sports shirts, also got a quick lesson in the Western ethic when he wondered why the government could not just spray paraquat on the easily visible marijuana plantations.

"Please don't get into that," begged Chappie. He said that even proposals to use the herbicide 2-4,D in small areas raised massive opposition in California.

While the hearing was focused on grower intrustions into public lands, it revealed some new trends in dope cultivation.

Both Bob Hamilton, representing the attorney general of Oregon, and Thomas Crofoot, deputy secretary of the California Adult and Youth Correctional Agency, testified that they have seen opium poppies cultivated in marijuana patches. The poppy, which produces both opium and its derivative, heroin, is largely grown in the Far East.

Crofoot, a former Mendocino County supervisor, said opium growers are not popular with other pot growers, who have devoted a major effort toward advocating their product as a "recreational" and non-addicting drug.

Hamilton and Frank Navarrete, director of the Arizona Criminal Intelligence System Agency, noted that commerical growers are becoming more sophisticated.

Navarrete said that in Arizona, hot houses for marijuana cultivation are becoming ommon.

And Hamilton said Oregon's estimated $500 million annual pot crop includes the so-called "90-day wonder," a state-of-the-art plant grown quickly with the latest fertilizers, hydroponic techniques and artificial lights.

S.F. Sunday Examiner & Chronicle July 24, 1983 ☆☆☆☆R 85

Pot is Oregon's most lucrative crop, California its biggest buyer

REDDING (UPI) — Marijuana has become the most lucrative crop grown in Oregon and has spawned a cottage industry of violence, one of Oregon's law enforcement officials said here yesterday.

Bob Hamilton, Oregon's assistant attorney general, told a congressional hearing that Oregon's pot growers earned about $500 million in 1982, far more than than the $297 million received for the state's largest legal crop of wheat.

"It is big, big business," Hamilton told two members of the Select Committee on Narcotic Abuse and Control, conducting the second day of a two-day hearing here.

He estimated that 80 percent of the Oregon pot crop is exported to California.

On Friday three congressmen boarded helicopters to view a raid on a marijuana farm in the Mendocino National Forest in Lake County where about 600 plants were confiscated along with sophisticated growing equipment. They were earlier told that California's marijuana industry is worth at least $1 billion a year.

Rep. Eugene Chappie, R-Chico, who organized the trip as a member of the committee, called the amount of contraband seized near Lakeport "quite impressive."

Another member of the committee, Rep. Jerry Lewis, R-San Bernardino, said testimony from the two-day session convinced him the federal government would have to become more actively involved in eradicating the cultivation of marijuana, especially the illegal plantations found on federal forests and wildlands.

Hamilton said Oregon marijuana is considered to be one of the best in the world with a potency "close to hashish."

"One marijuana cigarette from Oregon has a potency that can put a person in the equivalent position of being a drunk driver," Hamilton said.

He said law enforcement officials have been unable to stem the tide of violence that goes along with illicit marijuana growing.

"Last year before the beginning of the deer season, the Oregon state police issued a warning to deer hunters to be aware of the booby traps set by marijuana growers," he said, adding there was serious concern this year about the "possibility of a grower war."

Although in past years national- and state-managed forests and wildlife refuges have been popular growing areas, Hamilton said it appeared this year more growers were opting for expensive and sophisticated greenhouses that are much harder for law officers to detect.

"That has created what we believe is the state of the art in marijuana growing," he said.

Idaho Attorney General Jim Jones echoed Hamilton's desire for more federal aid in fighting the marijuana war.

He complained that his agents have not received enough cooperation from the FBI, which he claimed takes the glory when a raid is conducted but contributes little financing or planning assistance to the operations.

Jones said that last year, Idaho law officers seized more than 12,000 marijuana plants with a street value of $31 million. He estimated that 40 percent of the raids conducted in Idaho in 1982 occurred on federally owned land, which takes up two-thirds of the state.

United States Department of Agriculture | Forest Service | WO

Reply to: 5350 Actions and Procedures | Date: OCT 2 0 1982

Subject: Marijuana Cultivation on the National Forests

To: Regional Foresters

The cultivation of marijuana is increasing on the National Forests and is becoming a serious problem in some areas. Our primary concerns are:

1. Threats made by marijuana growers involving the safety of visitors to the National Forests and our own employees.

2. Inability to achieve our land management objectives in the areas where marijuana is grown.

3. Adverse environmental effects associated with the uncontrolled and concentrated use of pesticides, fertilizer, and other chemicals in the Forest.

As we deal with the marijuana problem on the National Forests, it is very important that our employees understand the appropriate role of the Forest Service.

The Federal Drug Enforcement Administration (DEA) has initiated investigatory jurisdiction over the Federal narcotic and other controlled substance statutes. While Federal Marshals, Customs Service, and the FBI also have this jurisdiction, DEA has been assigned the lead by the Attorney General. The States and local jurisdictions have the responsibility for investigating violations of the State and local laws. None of the Federal laws provide authority for the Forest Service to investigate violations of Federal, State, or local laws relating to marijuana, except where they relate to unauthorized use or occupancy of the National Forest System. Although independent Forest Service law enforcement authority is limited to the Secretary's Regulation which prohibits the unauthorized use or occupancy of National Forest land, our policy is to cooperate with appropriate Federal, State, and local agencies in the enforcement of narcotic and other controlled substances laws. Therefore, the Forest Service's role is to cooperate with law enforcement agencies by gathering and supplying information for the narcotic and controlled substance laws and assist them in eradication efforts on the National Forests. Certainly, the development and implementation of interagency actions to deter marijuana cultivation on the National Forests is an appropriate role. If for any reason law enforcement agencies are not able to take action, the situation should be reported to the Regional Forester for a case-by-case judgment with appropriate consultation with the Washington Office. We will consult with DEA at the Washington Office level.

You must assure that Forest Service employees assigned to assist law enforcement agencies in this work are properly trained and equipped. They must also understand our role and that our authority to engage in this work is limited to National Forest System lands.

We are separately providing guidance on the proper use of Forest Service appropriations in carrying out these roles.

F. Dale Robertson

For: R. MAX PETERSON
Chief

Record Searchlight
Opinion
Saturday, July 30, 1983 F-4

Congressional drug hearing took completely wrong approach

Editor: One must remove his hat to the north state's latest "committee" dealing with the problem of marijuana cultivtion.

This seemingly well-intentioned group has evidently compiled the necessary rhetoric to acquire "needed" funding to eliminate this "all-encompassing" evil.

Yet I feel it is time they faced the realities of the problems they're dealing with. Rep. Charles Rangel's comments, "Have you ever used herbicides?" and, "Just go in and spray paraquat or something," merely lend credence to the unbelievable ignorance that seems to permeate this latest onslaught. Once again, it seems as if a group of politicians are listening to and enjoying one another rather than realistically dealing with their problem.

It is an irony that the sophistication of cultivation far exceeds the effort of those trying to thwart it.

The most basic business courses stress the very primary concept of supply and demand. Locally, this is particularly evident in the lumber industry.

When there is a shortage of a commodity, the price rises; in times of plentiful supply, the opposite applies.

My point is obvious. All the militaristic raids, congressional banalities and political rhetoric are going to do nothing but drive the price of the drug higher and make the attraction of growing it that much more appealing. But when misinformed representatives from Washington make such totally ridiculous statements as Rangel, I feel like I am being drawn into the battle.

My dream is that someday we can raise our collective consciousness in an attempt to understand what kind of societal pressures draw individuals to drug abuse, rather than dealing with the problem in such a haphazard, expensive and officious manner.

CRAIG FARLEY
Shasta

Pot cultivation info needed by Congress

Editor: The Select Committee on Narcotics Abuse and Control of the United States House of Representatives recently completed two days of hearings on the problem of marijuana cultivation in our national forests.

The purpose of these hearings was to hear testimony concerning the scope of the problems presented by illegal gardens and to entertain recommendations for action by Congress.

Law enforcement officials from four Western states testified, as did the heads of the federal Bureau of Land Management (BLM) and the national forests.

However, there was little local input. Therefore, Rep. Gene Chappie, acting chairman, has ordered the records from the hearing to remain open until next Saturday in order to receive additional written testimony.

I urge any of you who have had problems with illegal cultivation of marijuana to write to the committee.

The address is The Select Committee on Narcotics Abuse and Control, c/o Rep. Gene Chappie, 300 Cohasset Rd., Suite 30, Chico 95926.

Your letter doesn't need to be long or fancy.

Members of Congress need to know, to understand the problems facing the people who have to live with the threat of violence at their back doors. They need to understand the fear that is rapidly closing access to our public lands. Here's your chance to make your voice heard.

Don't ignore the opportunity.

KATHY HANSEN
Palo Cedro

[Whereupon, the select committee adjourned, subject to call of the Chair.]

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
BOISE 83720

JIM JONES
ATTORNEY GENERAL

TELEPHONE
(208) 334-2400

August 2, 1983

Honorable Charles B. Rangel
Chairman
House Select Committee on
Narcotics Abuse and Control
Rm. H2-234 House Office Bldg.,Annex 2
Washington, D. C. 20515

Dear Congressman Rangel:

During the field hearing on marijuana eradication which was chaired by Congressman Eugene Chappie on July 23 in Redding, California, Congressman Chappie requested that I submit information indicating what type of assistance the State of Idaho might need from the federal government in order to facilitate our marijuana eradication effort. Pursuant to Congressman Chappie's request, I am submitting for inclusion in the record a letter from the Director of Police Services of Idaho's Department of Law Enforcement, outlining a modest proposal for federal assistance to the State of Idaho which would constitute a good beginning in an effort to have the federal government shoulder its fair share of the marijuana eradication effort in Idaho. As I indicated during the hearing, the federal government has not carried its fair share of the burden in the drug enforcement effort in my state, especially in light of the fact that about half of the marijuana grown in Idaho is grown on federal land.

I certainly do appreciate the fact the field hearing was scheduled and held in the West. This gave those of us who operate on tight budgets the opportunity to attend and have our input on this important problem.

With thanks and best wishes, I am,

Sincerely,

JIM JONES
Attorney General

JJ/lh

Enclosure

STATE OF IDAHO
DEPARTMENT OF LAW ENFORCEMENT

JOHN ROONEY
Director

JOHN V. EVANS
Governor

July 27, 1983

Police Services Division
6081 Clinton St.
Boise, ID 83704
(208) 334-2909

RECEIVED
JUL 27 1983
Office of The Attorney General

The Honorable Jim Jones
Attorney General
State of Idaho

STATEHOUSE MAIL

Dear Jim:

I appreciate the efforts you have put forth on behalf of the state to minimize the social and law enforcement problems of illicit drug traffic. Be assured of the Department of Law Enforcement's concern and support in mutual efforts.

With regards to the specific areas which the federal government could be most effective in supporting the State of Idaho in effecting a deterrent to the drug traffic, the following is suggested:

1. Provision of an additional $30,000 to the state's Marijuana Eradication Program;
2. Assignment of additional DEA agents to Idaho; i.e., two in Boise and one in Spokane with Idaho area of responsibility;
3. Make available without cost to the state, helicopter transport for officers to access mountainous and remote areas in exceptional cases.

Again, your assistance in this matter is greatly appreciated.

Sincerely,

L. Gene Hopkins
Administrator